

THE SVRVEIORS DIALOGUE.

Very profitable for all men to peruse, but especially for all Gentlemen, or any other Farmer, or Husbandman, that shall either haue occasion, or be willing to buy or sell Lands : As in the ready and perfect Surveying of them, with the manner and Methode of keeping a Court of Survey by many excellent rules, and familiar Tables to that purpose.

As also,

The true and right vse of the Manuring of Grounds, or Occupation thereof, as well in the Lords, as in the Tenants : being the true facultie of Surveying of all manner of Lands and Tenements, &c.

Now newly Imprinted.

And by the same Author enlarged, And a sixt Booke newly added, of a familiar and pleasant conference, betweene a Purchacer, and a Surveyor of Lands ; of the true vse of both, being very needfull for all such as are to Purchase Lands, whether it be in Fee simple, or oþerwys by Lease.

Dividid into sixe Bookes by I. N.

P R O V . 17. 2.

A discrete Servant shall haue rule over an unchristie sonne, and bee ſhall deuidis the heritage among the brethren.

Volutas pro facultate.

L O N D O N

Printed by I. W. for J. Busby, and are to be sold at his shop
in Saint Dunstanes Church yard in Fleetstreet. 1610.

THE SARAEIORS DIALOGAE

Verily before people for all men to perceive, that
the principal for all Government, or any other Empire, or Heli-
pandment, either imperial or princely occasion, or to be witness to par-
to selfe I saye : As in the least yonge and beste Soveraine of
Spain, where the manner and Manner of government & Cours of
service by which excellente maner, and iurisdiction
fappeth to these people.

The next day before all of the Marchion of Gouernour, or Oc-
cupation of Madrid, in which the Earle of Oxford, in the same place
gave the audience of his maner of Engle-

land Tameister, &c.

Now newes I bring unto you

that all the world, whiche is full of people, knowe yest daye
a commissaryng officer of the countee of Piscator, and
Standard of France, whoe came to Spain, because he had
for his purpose to see to the payement of land, and expences in the
service, or ordination of the Earle.

Douay 1616. In book 1. N.



Actions to 10000000.

Printed by W. for V. gray and sold by P. Collier and Sonnes
in severall Magazines Cunard Library in Fleetstreet. 1616.

To the right Honorable ROBERT,
Lord Cecill, Baron of Esingdon, Vicecomte Cran-
mer, Earle of Salsharie, Principall Secretarie of the most
high and magnificent Prince, IAMES, King of Great
Braune, France, and Ireland, Master of his Ma-
jesties Wards and Laueries, of his Maneries,
Honourable Princ: Councell, and
Knight of the most Noble Or-
der of the Garter



S the earth (right Ho-
nurable) was given
to man: and man (af-
ter divine) was en-
joyed the care of
earthly things, every
man in several places,
qualitie and state,
the greatest receiving
thence greatest dignities, even to bee called
Princes of the earth: So is it not the least regard,
that men of whatsoeuer title or place, should

The Epistle Dedicatore.

hane of the lawfull and iust meanes of the
preseruation and increase of their earthly re-
uenues. And that especially, by iustly atchie-
uing and rightly vsing Dominion and Lord-
ship : which principally growe, (omitting
publique office and anthonie) by Honors,
Mannors, Lands, and Tenants: for according
to the largenesse of reuenues, are the meanes
to enable the Honourable, to shelter the ver-
tuous distressed, and to cherish such, as by de-
sert may challenge regard. And according to
their will and power therein, is the vulgar re-
putation of their Magnificence. But (my
good Lord) as mine indeuour in this rude
Dialogue, tendeth but, as it were, to the plow:
So I omit to wade into the impassable censute
of honour and dignitie, wishing it euer deser-
ued reuertence. And as touching Land-reue-
nues, wherewith many are (but especially the
Honorable are, or ought to be principally) en-
dowed, I presume onely in this simple Tre-
asise to discourse: So farre (according to my
slender capacite, and weake experiance) as
concerneth the ordinarie necessarie meanes of
the maintenance and increase of Land-reue-
nues.

The Epistle Dedicatore.

nues. And because the true and exact Surveying of Land, is the principall; I haue heerein indeuored, more of Desire, then of Power, (for the vse and benefite of all sorts of men, hauing to deale with land, both Lords and Tenants) to shew the necessarie, and simple methode thereof, Most humbly intreating your good Lordship (the fruits of whose, and of your honorable Fathers fauours, I haue many wayes tasted) to vouchsafe me your Honorable pardon for preluming, and your like patience in accepting at my hands this second time, this little Mite, which, were it as great, as any wel-wishing heart can intend good, it were (together with my poore selfe) in truest seruice vnfainedly your Lordships. It may therfore please the same to accept it: so shall others the more willingly embrace it, or the lesse disgrace it, humbly recommending it to your graciour fauour.

At my poore house at Hendon, 27. Martij. 1610.

Your Lordships euer to be commanded,

Io. Norden.

discusses the concept of community, comparing it to a unitary
diligence, implying a common understanding. It may
relate to the universal acceptance of a code of ethics or
standards of behavior that are widely recognized as
right and proper. The term "unitary" suggests a
single, cohesive, and harmonious community where
members share a common purpose and work together
towards a common goal. This contrasts with a
pluralistic society where there are many different
cultures, beliefs, and values coexisting without
necessarily sharing a common purpose or working
towards a common goal. The concept of a unitary
community is often used in political philosophy
and international relations to describe a state
or organization that has a clear, well-defined
identity and a strong sense of unity and
cohesion among its members.

order, truth, &c. which will be glad to see you in

John Peter Smith was a friend to me

Jo. Nichols

To the benevolent Readers, especial-
ly to Landlords, Tenants, and Sur-
veyors of Lands.

AS God in his high and incomprehensible
wisdom, hath given unto man two be-
ings, a Spirituall, and Corporall: So
hath hee enioyed him two prescript
cares, the one of diuine and heauently,
the other of humane & earthly things.
And although the first be as farre more
excellent then the second, as the brightest Sunne exceedeth
the blackest darknesse: yet hath hee not omitted, to give unto
all men an expresse commaundement, to be mindfull of the
second: Although it must be confesed, that no man taking an
extraordinary care, can adde, as of himselfe, one iota of increase
of any good thing, neither can he of his owne proper indu-
stry, assure himselfe of any part of true prosperitie in this
life, yet must hee not therefore disolutely neglect his uttermost
louingall industrie, to advance his owne welfare, which he nei-
ther can do, without feare and trembling, if hee call to minde
the cause why the earth bringeth foorth unto vs of it owne
accord, nothing but the very tokens of our originall disobedi-
ence, wherin is imprinted this Motto or Poety of our shame:
With the sweat of thy face thou shalt eat thy bread, all
the dayes of thy life. And this without exception of persons.
whereby it appeareth, that none is exempted from labour and
trauaille,

The Epistle to the Reader.

manie, nearekinde or other to helpe and helpe his estate heafe. Our Fatheres of former age did it. Adam digged the earth, and manured it. Tubal wrought in Metalls. Noah planted a vineyard. Abraham, Lot, Moses, David, Elizeus, Amos, and many other godly and great men were Shepheards. Gideon was a Thresher of Corne. Iacob and his sonnes the Patriarker, were Herdesmen. Ioseph a Purchaser of Corne in Egypt. Paul made Tents. Matthew was a Customer, or Toll-gatherer. Peter, Andrew and others were Fisher-men. And Saul a keeper of Asses. If these men began the way of labour in so many kinds, who may say he is free in one kind or other? And he that in respect of his greatnessse of birth or wealth, will pretend a priuiledge of idlenes, or vaine and unprofitable exercises, doth discouer his forgetfulnes, or neglect of the dutie in earth, which every man, even the greatest oweith unto the Common-wealth, his owne familie and posterite. And hee is censured even by the mouth of God, Worse then an Infidell, that neglecteth these duties. And none is excused, or exempted out of this Law of prouision for his familie, be he never so high or meane; nor that such men as are honourable by birth, office or aduancement, shoulde till the earth, or be Shepheards or Herdesmen. But that they shoulde, according to their greatnessse, execute great place in the Common-wealth, wherof (after the care of Divine things, in respect of God that gave them their greatnessse) they shoulde haue care to perforne same service, in respect of the King, under whom they enjoy their greatnessse: To shewe loue and diligent regard, to ayde their inferiours, in respect of whom they haue ill imputation of their greatnessse: To be prouident in prouiding things necessary for their Families, that haue an interest to partake of their greatnessse. And lastly, in respect of their posterities, that are to become the more great
by

The Epistle to the Reader.

by their greatness. And how can they doe thus, unlesse they
looke into, and use the meane of the increase and preseruation
of their greatness? And for as much as the same con-
sisteth for the most part, in the revenues of land: what grea-
ter care ought they to have, then to mainetaine and lawful-
ly to augment the same, which decaying, their Honour
and honourable reputation diminiseth. To preserue or
augment Revenues, there must bee meanes: the meanes
are wrought by Knowledge: Knowledge had by Experience;
Experience by view, and due observation of the particulars,
by which revenues doe, or may arise; wherein are to
bee considered the Quantities, and Qualities of Land,
with the present Rentes, and estimate values by a reasona-
ble improvement: which dauly found, to have a due regard
to proportion yearly distributions and expendings with
the annuall incomme, in such sort, as alwayes the present
yeare may rather adde unto the next, then the next to bee
charged with the yeare past. For when the present yeare
shall expend more than the Revenues of the same may
beare, the yeare following cannot but bee surcharged: and so
will it surcharge the future so long, that either he shall
be forced to strike the topside of his imprudent wasting, in
time, or at length, through the furious blasts of excessive
prodigality, be blowne under the water of desirability, by over-
swelling the sailes of his vainglory. I speake not this in the
way of attachment, but of preuention. And so I trust, all men
will take it, and accept of my poore indeuour in this kind, con-
sidering that necessary it is, that all men shold know what it
is to haue revenues, namely, first to know them, and then to use
them to their owne advancement, and to the good of others.
And because it is not the worke of the Honourable, and of such
as haue high and serious Common-wealth imployments, to

The Epistle to the Reader.

be personal actors of their owne affaires in this kind: they
are to rise the seruice of such as are fit in knowledge, & in just
dealing, to travell in this kind of businesse, by whose faithfull
and sincere informations, they may know what is just and
right to be done and demanded: And in all fauour and clem-
eneie to deal with them, as are in this manner within the
compasse of their commandement, and by whom and by whose la-
bours they maineinate their greatness: for (no doubt) there
is none but well considerab, that how great or powerfull so-
ever he be in Land Rauenes, it is brought in unto him by the
labours of inferior Tenants: yet, The King consisteth by
the field that is tilled. And there is none of these inferiors,
of ordinary discretion, but will knowe by that what hee in-
ioyeth, is by the fauour of his Lord or forre: and therefore
ought there to be such a mutuall concurrence of loue and obedi-
dence in the one, and of aide and protection to the other, as
nobard measure offered by the superior, shoulde make a just
breach of the loyaltie of the inferior: which kind of union
is no wayes better preferred and continuall betwene the Lord
and Tenant, then by the Lords arue knowledge of the parti-
culars that every Tenant holdeth, and a favourable course in
fines and rents: and by the Tenants loue and thankfulness in
all ready service and dutie towards the Lord. And to that
end, it is (no doubt) expedient, that Lords of Tenancy have
due regard of their owne estates, namely of the particulars of
all their Tenants lands, and that by a due, true, and exact view
and survey of the same, to the end the Lord bee not almed,
nor the Tenant wronged and grieved by false informations,
which commonly grow by private Intelligencers, and never
by iust Surveyors. And because the office of a Surveyor (truly
made, is an office both necessarie, expedient, and of trust. It
labetith him, to keepe fairely and uprightly minded
Eccles. 5.8.

The Epistle to the Reader.

and next, skilfull and indiscious in the familie. Then can he
not, but by industrie and diligence, produce an exact discou-
erie and performance of the worke hee undertaketh, to the
true information of the Lord, whose benefite and uttermost
lawfull profit hee is to strooke, in a good conscience, dissuading
him yet from distastfull Avarice, the greatest blemish
that can befall a man, seeking true reputation and renowne,
by his revenues. For too much severitie afflicceth the hearts
of poore Tenants, who (by common experience) are found to
bee more firmly knit in the bond of true duetie, loyall affecti-
on, and ready service unto their Lords, by their Lords fru-
galitie sweetened sometimes with the cheerefull drops of true
liberallitie, then by the extreames of austertie, vaine prodiga-
litie, or compulsive exactions. And yet not so, as Lords of
Tenants shold be so overswayed with abused lenitie, or care-
lesse looking into their owne, as may breed contempt in Te-
nants: but rather that they shold keepe such an even, and e-
quall bande ouer their Tenants, as may continue mutuall
loue, and in them a louing feare: And not to seeke the in-
crease of Reuenues so much for vaine glories as for vertues
maintenance. Which will appeare by doing good to deserners,
by their vertuous life. A worke of true vertue, when contra-
ry, vaine-glorie seeketh idle and vaine reputation, by
uniuersall attiching, and either prodigally consuming, or
too miserably increasing Reuenues, which I must leauen to
encourage mans vane fancie, wilslong all to fashion their
wayes in this kind, to Gods glorie, the Kings seruice,
the good of the Common-wealth, and to other such ends,
for which God hath given them greatest earthly blessings; re-
commending unto you this simple rude lumpe, of which,

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if some more skilfull, will be fower the re-licking, and bring
it to his true shape, my selfe with many others, should
thankfully imbrace it. In the meane time
friendly accept it, and in kind-
nesse afford a sparing re-
profe.

Eccles. 7:13

wisdom is good with inheritance.

Yours, I.N.



The Author to his Booke.

IOKE ere thou light into the hands of some :
Some lay but traps, to catch thee in disgrace,
Disgrace thou none, be silent where thou come,
(Yet thou shalt come where *Mansus* is in place,)

Place thee with those, whose hearts aright doe see :

And seeing, ridge, in fauour, faults that be,

Faults be in thee ; who saies he doth not erre,
Errs, in conceit, that he alone is free :

And such, not free, will sure thy faults transferre,

And for one fault, transferre them ten in thee :

Not thee in this, but me they discommend,

That I abroad doe thee so basely send.

Base I thee send : excuse me what thou can,
If thou can not, plead thus to seeming friends :

Alas, my friends, abortiue I began :

Who me began, thus meanely foorth me sends,

That I might tell him, how I passe the taunts

Oftaunting tongues, that seeke their praise by vaunts.

I vaunt it not, but am content to be,

Where meanest be, that blush to shew their face :

Who sees my face, a picture base may see ;

Yet may he see, farre fairer find disgrace.

Disgrace not him, that sends me for good will :

Bet will him well. Requite not good with ill.

Inuidia sibi, & alijs venenum.

The

The Contents of the sixte Bookes of the Surveyors Dialogue.

The first Booke.

Containeth a communication betweene a Farmer and a Surveyor of Land : wherein is prooued, that Surveyors of Mannors & Lands, are necessary both for the Lord and Tenants, and in what manner Tenants ought to behaue themselves towards their Lords, in respect of their Tenures.

The second Booke.

Is intreated betweene the Lord of a Manner, and a Surveyor, concerning the estate of a Manner, of the parts and profits therunto belonging, and how the Lord of a Manner ought to deal with his Tenants.

The third Booke.

Is contained the manner and Methode of keeping a Court of Survey, and the Articles to bee inquired of, and the charge how to enter and inroll Copies, Leases and Deeds, and how to take the plot of a Manner.

The fourth Booke.

Is shewed the manner of the casting vp of the quantities of Acres of all sorts of grounds by the scale and compasse, with Tables of computation for ease in accompting.

The fifth Booke.

Is shewed the different natures of grounds, and wherunto they may be best employed, how they may be bettered, reformed and amended, fit for all Farmers and husbandmen.

The sixth Booke.

Containeth a briefe conference betweene a Purchaser of Land, and a Surveyor : wherein are some points necessary to be considered of such as are able and willing to Purchase Land in Fee simple, or by Lease.

The



THE SVRVEYORS DIALOGUE, BETWEEENE A

FARMER and a SVRVEYOR: Wherein

is prooued, that Surveyes are necessarie and

profitable, both for Lord and Tenant: and

wherein is shewed how Tenants ought

to behaue themselues towards

their Lords.

THE FIRST BOOKE.

Farmer.

Ir, I am glad I haue so happily met
with you, for if I be not mistaken, you
are a Surveyour of Land.

Sur. Admit it so, Sir, what then?

Farm. I haue heard much euill of
the profession, and to tell you my
concrete plainly, I thinke the same
both euill and unprofitable.

Surveying
rashly con-
demned.

Sur. You seeme to be but a yong
man in yeeres, and are you so deeplye scene in the abuse
of this faculty, that you can so peremptorily condemn it?

Far. Call you it a Faculty? What meane you by that
word?

Faculty.

Sur. Abilitie to performe a thing vndertaken.

Far. Then this faculty of yours, I say, is a vaine faculty,
and a neviesse worke vndertaken.

Sur. Speake you this by coniecture, by report of others, or by due experiance of your owne?

Far. I speake indeede, as indued to the opinion I holde, by all the three reasons.

Coniecture
often de-
ceiveth.

Sur. Then needes must you be either partiall or malitious in the first two, and deceiued in the third. For hee that speaketh by coniecture, hath not experiance, and he that speaketh by report, is as a truncke to conuey an vncertaine sound comming from one, to the eares of others: and if you speake by experiance, then haue you a pretence to haue skill in the arte; and by your owne experiance it seemeth, you condemne your selfe to haue abused the same, and so condemne a generall necessarie profession, in respect of your owne particular error in the same.

Far. No Sir, I am willingly unskillfull in that contempnable vanity. But my experiance groweth, by tasting of the mill that hath followed the execution of the thing, by some like unto your selfe.

The most
faulty sin-
deth first
faul.

Sur. This is a generall condemnation, rashly pronounced against all, for the abuse of some, and they only spew out greatest scandals, that are by examination, in this businesse found most deceitfull against their Lords, and therefore no maruaile though the profession bee contemned and condemned, of such as are to be condemned, for the offender cannot speake well of the apprehender, nor scarcely of the most iust Judge.

Far. You speake as if you knew some abuse in me: I tell you, you doe me wrong to attache me so.

Sur. Belike you thinke it free for you to censure other men at your pleasure, and to iudge them after your owne vaine conceit, and yet no reply must take hold of your vaine quarrell, that riseth of meere malice against the innocent.

Far.

Fare. Innocent: How can that be, when you pry into mens titles and estates, vnder the name (forsooth) of Surveyors, whereby you bring men and matter in question oftentimes, that would (as long time they haue) lye without any question. And oftentimes you are the cause that men lose their Land: and sometimes they are abridged of such liberties as they haue long had in Mannors: and customes are altered, broken, and sometimes peruerterd or taken away by your meane: And above all, you looke into the values of mens Lands, whereby the Lords of Mannors doe rache their Tenants to a higher rent and rate then ever before: and therefore not onely I, but many poore Tenants else haue god cause to speake against the profession.

The pretended causes why Surveyors are condemned

Sir. Be you not offended at the comparison which I will make to your allegations. Why should not such persons as are inhibited by the lawes of the Realme, to commit certaine actes within the Common-wealth, cry out against them, that by the same lawes are appointed Magistrate and Officers to see these lawes executed vpon them, as Roagues, Beggars, and other like vagabonds? for if such officers and overseers were not, these offensive persons might haue their wils: so shold it follow, that men of peace, and good members of the Commonwealth, shold be endangered to be sacked of that they haue, by such lewd persons. Necessary therefore is it, that there shold be such as shold see vnto, informe, punish, and reforme these. And by your assertions you may as well intend, vnder like reason, against keeping of Courts in a Mannor, wherein many abuses are found out, reformed, and punished, which without such Courts would lye smothered, festeringe so long, that there wold be few found members left within the same.

Fare. It seemes, you compare Tenants of Mannors, that are (many of them) honest, ciuill, and substantiall men, to

Rogues, and vagabonds. You forget your selfe.

Sur. My plaine words are, that as well these euill members of the Common-wealth may speake against the Surveyors of the Common-wealth, which (to speake onely of the vnder Officers) are the Justices of the peace, Constables, and such like, as may Tenants of a Mannor speake against the surueying of their Lands within the same.

Far. That were strange: for by the one, the whole state of the Kingdome is kept in peace, and by the other, many millions disturbed, that might liue quietly in their Farmes, Tenements, Houses, and Lands, that are now daily troubled with your so narrow looking therinto, measuring the quantity, obseruing the quality, recounting the value, and acquainting the Lords with the estates of all mens living, whose ancestors did liue better with little, then we can doe now with much more, because by your meanes rents are raised, and Lands knowne to the uttermost Acre, Fines enhanced farrre higher then ever before measuring of Land and surueying came in, and therefore I thinke you cannot but confess, that other men, as well as I, haue god cause to speake of you and your profession, as I doe.

Sur. I perceiue that the force of your stronge arguments is, as before I said, your feare and vnwillingnesse that the Lord of the Mannor, vnder whom, & in whose Land you dwelle, I should know his owne: and that you thinke it better for you, that he should continue still ignorant of what he hath, and that your estates should bee alwaies hidden, and what injury you doe should be concealed, then that he should be acquainted with what you hold, and your abutes, incroachments, yslurpations, intentions, and wrongs discouered.

Far. Soys, we acknowledge that the Lord ought to haue his rent, and that is all, and our seruices at his Courts, but the Land we haue, is our owne.

Friuelous
objections
against the
Survey of
Lands.

The faulty
are afraid
to be scenc.

Sur.

Sir. Howsoeuer you may account them yours, yet the Lord hath such an interest and propertie in them, as he may also call them his, nay, I may say, you are not in such sort your owne, but next vnder the King, you may be said to be the Lords.

Tennants
may be said
to be the
Lords men.

Far. Sir upon you will you bring vs to be slaves neither lawe, nor reason, least of al religion, can allow what you affirme, and therfore as I before conceiuued, so I may now protest, that you, and such as you are, are euē the cords whereby poore men are drawne into seruitude and flauery, and therfore I say againe, it is pittie any of you haue any employmēt in the Common wealth.

A rash con-
fure.

Sir. What Sir, because I say you are in some sort the Lords? I tell you, that I mistake it nothing at all: for as the King is Supreme head and Prince, and defendour of all his Subjects, so vnder the King is euery Lord of a Man-
nor chiefe and head ouer his Tennants, namely, ouer such as hold of him: And he hath a kind of commaund, and superiour power ouer them, as they are his Ten-
nantes, and for that cause he is called, and they doe ac-
knowledege him to be their Lord. And what doth the
word Lord import, but a ruler or gouernour? If he bee
your Lord, then are you his, to be gouerned in causes de-
terminable within the Mannor; and as I will hereafter
prooue, the Lord of the Mannor may command his
Tennants to accompany him into the field against the
enemies of the King, by reason of some Tenures, and they are to follow and be commanded and directed by
him, and if they refuse the service, the Lord may distraine
for it, or may enter vpon their Lands, and resume it as his
owne in some case; so that I may well say, that in a sort,
euē your Lands and your selues are the Lords. The vle
and occupation is yours, but if the Land were so yours

The Lord of a Mannor, vnder the King, is head of his Tennantes. A Lord, why so called.

6 *The Surveyor's Dialogue.*

as were none about you, you might then call it yours: but so is none, but the Kingdome which the King holdeth of none but of God. And no man is so absolute within the Kingdome, but he holdeth his Land of some Mannor, or person, or of the King. And of whome such Land is holden, the same is called the Lord of that Land after a sort, because it is held of him by some kind of rent or seruice, and by possibility this Land may come vnto, and by law be cast vpon the Lord of whom it is holden, as if you be so willing as you see me, to talk of these Mistersies, you shall anon perceiue. And therefore you can not but say, that the Land and your selues are in some sort the Lords. And therefore is it not lawfull for the Lord of the Mannor, to enquire and examine of the

*The innocent neede
not feare to
be looked
into.*
*the
land
is
to
be
measured
and
valued
by
the
Surveyor
of
the
Kingdome
of
England*

things in those lands belonging vnto him? And if there be cleane and plaine dealing among Tennantes, they need not feare who looke into their Lands and estates. But if there be deceits and wrongs against the Lord, policy willetth you to banish any man, and to barre all the meanes that may discover them, though equity and honesty be contented to discover all things to the manifestation of truth. Are not these the matters of chiefe importance that disquiet you? The measuring of your Lands, the observation of the quality, and estimating the value of your Lands.

Far. It is true: so these are the causes that our rents are increased, and our Fines rayled, and this would the Lord never doe, if such as you did not inkinde the Lords before, by your too seuerre scrutations, examinations, impositions, and imputations: for were the Lords of Mannors ignorant of these things, as in former times, þose Tenants might haue things at the rate they had in former times.

Sur. My friend, if I compare you to a dead Image, be not

not offended, for I perceiue you haue eyes to see, and yet you see not, you haue a heart to vnderstand and yet your vnderstanding is amisse.

Far. I am beholding to you Sir, to make me worse then a beast, for a beast hath the things you say I want: how proue you what you haue said?

Sur. Because you impute your great impositions vnto the acte of an honest Surveyor, when I will assure you and proue, that the cause is in, and of your selues.

Far. Then indeede you might account us brutish, if we would worke our owne iwoe.

Sur. I perceiue, though you may be a good worldly Farmer, you are but a meane obseruer of the course and carriage of things passing daily vnder your nose. He that hath seeing eyes and an vnderstanding mind, may easily see and perceiue, that there is no Manner, nay, no Farme be it great, or little, farre off, or neere hand, but hath been and daily is discouered, by private intelligencers, lurking in, or neere the same, prying into estates, ayming at the quantity, wide, short, or ouer, seldom hitting right, obseruing also the quality, and glauncing at the value of e-
very mans Land, and therefore secretly and vnder hand doe informe the Lords of the Farme, and they being cre-
dulous ouerrauch, and not a little covetous, build their demaundes both of Rents and Fines, vpon these most de-
ceiuable informations, whereby the Lord is abused, and the Tennant wronged: wheras were the things scene,
viewed, and surveyed by a iudicious and faithfull Surveyor, who vpon due consideration, and discreet obserua-
tion of all particulars, gives in a true and indifferent cer-
tificate vnto the Lord, vsing rather his vttermost indeuour
to moderate and mitigate the Lords excesse demands
then aggrauating the validity beyond reason or a good

Priuate in-
telligencers
and not ho-
nest Survei-
ors, give
false infor-
mations
to their
Lords.

The course
of an honest
Surveyor.

conscience, you would be of another minde, and I protest, I hold that Surveyor a very bad man, that will either for affection or bribe carry a partiall hand betweene the Lord and his Tennants; yet sith he holdeth as it were the beame of the ballance, he shoulde rather giue the better waight to the weakest, respecting nothing but a charitable course to be held by the Lord, for whom he trauaileth with the Tenant, against whom if he speake not, he shall be often suspected of the Lord to be partiall. But if there be equall consideration on all sides, the Lord wil belieue the Surveyor dealest iustly, and the Tenant rest satisfied, willingly to leaue, or readily to accept, as his owne iudgement agreeth or disagreeth with the things propounded. For this haue I obserued, that oftentimes Tennants consider not when they are kindly vsed, neither see they at all times when they are abused.

Far. Truly I believe you in part: for indeede there are even amongst vs, in the Shanno: wherein I dwelle, officious fellowes, that to procure the Lords good opinion, will prep into mens estates, and indeede as you say, into the quantity, quality, and value of mens Lands, and giue false information oftentimes, and I know it is a soule abuse, and of the two, I rather allow a true survey, then a false report: for such sond fellowes as are thus busie in other mens causes, are of all men least to be beleaved: for they speake altoates for affection or gaine: for they will extenuate the value of them they loue, or haue gaine by, and aggrauate the same, as their hope is of the Lords reward: all this I know without your report. But what is that to the thing you charge your Tennants withal, that they are the cause of their owne hard measure: clear your selfe of this flattery.

*Officious
Informers
dangerous
for Lord &
Tenant.*

Sur. That can I easily doe by experiance, and I thinke I shall haue the whole world to witnesse it for your further satisfaction, who cannot your selfe be ignorant of the

the same thing; for you haue in part confessed it: for the former Informers, of whome you last spake, are even Tennants themselues, yet I accuse them not all, nay, I excuse none in particular: for I haue seene and obserued among them a kind of madnesse, as I may call it, but in the best sense it is a kind of ambitious, or rather auaritious emulation, wherein they striue one to out-strip another in giuing most: as where my selfe haue had businesse of this nature, namely, of letting, setting, or selling of Land for yeares or liues, being, or neare being determined, in Farmes or other like, whereby the Lord hath bene at liberty to dispose thereof at his will, for best aduantage, by choyce of a new Tenant, Proclamation to that effect hath bene made in open Court, where I haue seene, and it is daily in vse, that one wil out-bid another, in so much as I haue wondred at their emulation, and could not haue asked what they haue raysed it vnto themselues. And should any that is in authorite in this case (who in duty is not to hinder the Lord) or the Lord himselfe inhibit such hot spirits to clime as high for the Lords aduantage, as the ladder of their owne will, and supposed ability will willingly carry them? This is not as one Swallow in a Summer, but they are many, and eueny where Winter and Summer, and yet are other men accused and condemned for them and their faults, if their will (though wilfull) be a fault: but I shoulde thinke it greater madnesse for a Lord, wilfully to refuse what is so voluntarily offered, and so willingly giuen. Now, who is the cause of raysing Rents and Fines?

Far. I know, such rash and ouer-forward men there are in the world not a few, almost in every maner, who are especially pricked forward to this emulation through enuie and auarice, hauing meanes to atchieue their desires. But

Tennants
striuing in
lowing and
bidding,in-
hanceth
Fines and
Rents.

this bidding and out-bidding is in things, wherin the Lord is at his libertie to take all Tennant whom he list. But in customary tenements of inheritance y case is other wise, where the Rent is and the fine (for the most part) certaine, what needes the Lord have this surveyor, or any st^t he hold Landes?

Sur. It is fit the Lord shoulde know what his Tennant holdeth, be it free or customary, though at this day there be a needless niceesse in some free-holders of Manors, who seeme to conceale their estates, and to kicke against the view of their Landes: but if they knew what they did, they would reforme that error.

Far. Call it you an error, for a free-holder to refuse to shew his estate to the Lord, or not to suffer his Land to be surveyed.

Sur. I may well so call it, nay, I may call it a great fault, or an iniutie done against the Lord, and hurtfull to himselfe. There is none (it may be you know it) that holdeth land of a Lord, but he holdeth the same by some kind of Rent or service, and when he comes to take vp his Land after the death of his auncestor, or vpon purchase, but he doth or ought to doe homage & fealty, or one of them, vnto the Lord of whom he holds it: the doing whereof, how ceremonious it is, if you be a Tennant to any such Land you know, and wherin he maketh a solemnie vowe and oath, to be true Tennant vnto the Lord for the Land he holdeth. And sometimes the Tennant of such a Tenure, is forced to be ayded by his Lord for the same Land, if he be impleaded for it: now, if such a Tennant refuse to shew his estate, or to permit his land to be seene, how performede he his oath, to be true Tennant, and to doe such seruices as are due vnto the Lord among which, this, of permitting the Lord to know his owne, is not the least, nay, he ought by his oath of

Homage
and fealty
by free-hol-
ders.

of fidelity: to further it by all meanes, both by his proper knowledge and euidence, not onely his owne, but other mens lands, and thereby he shal not onely not prejudice himselfe, but he shall fortifie his title so much the more, by hauing his euidence entolled, and his land recorded in the Lords booke of Survey, that when his heire shall take vp the land, or hec alien the same, it appeareth that he is true Tennant vnto such lands for such rent, and for such seruices: but there be so many scruples thrust into mens heads, by such as haue a pretended skilt in matters of policy in this kind, and Lords of Mannors haue beeene so remisse in taking knowledge of the things in this manner appertaining vnto them, that questions of Titles and Tenures are daily had and mooued, to the great trouble oftentimes both of Lord and Tennant, as is seene by experiance daily as well of land holden of the King, as of inferiour Lords, which may be reconciled, if Tennants were not too curious, and Lords too negligent. Besides this, there are other reasons to mooue the Lord to know what land is holden of him, and by what title, rent, and seruice: for free-holders may forfeit their land, and their land may escheat vnto the Lord: if then he should be ignorant what land it is, where it lyes, and how much it is, he may be easily abused for want of records: and so are many Lords of Mannors, who for want of due knowledge of their Tennants and of their land and Tenures, other men are intituled to their right.

A needles
niceness in
free hol-
ders to shew
their deeds
and Lands
to the Lord
or his Sur-
veyor.

Some Lords
too remiss
in survey-
ing their
Land.

Fare. You haue said more then I heard or dreamed of, and it holdeth in some sort by reason, how it is by lawe I cannot dispute, but in all that you haue said, you haue not satisfied me in the thing before I spake, touching the Princes of customary Tenants of inheritance, which (as I said before) haue bene of late raysed farre higher then in former times, by your Mutyueors. C 2 Sw.

The Surveyors Dialogue.

Sur. You strike alwaies one string, & I find the sound of your meaning: you would alwaies be as easily charged in your Fines as might be: and in that I blame you not, it is every mans case to beare as light a burthen as hee can. But if you remember what I spake before, touching the cause of this raysing of Fines, where I prooued it came most by your owne meanes, you may be the sooner satisfied in this, for it is in nature like the former. Although this kind of Tennant hath seldome any competitor to emulat his offer, because the Tennant leaueth commonly one either in right of inheritance, or by surrendor to succeed him, and he by custome of the Mannor is to be accepted Tennant, always prouided, he must agree with the Lord, if the custome of the Mannor hold not the Fine certaine, as in few it dothenow this composition is commonly made by demaund of the Lord, and offer of the Tennant. The Lord asketh according to his conceit of the value of the thing, and either his knowledge must arise by his owne experiance, or by information: the information is either by secret intelligence of some officious neighbour, or by due iudg'ment of an indifferent Surveyor, namely, such a one as carrieth equall respects to Lord and Tennant. And although, as you alledge, former times did afford Tennants moe favour in rating and arbitrating Fines, as you suppose, if you consider it well, it is now as then it was.

Fer. You much mistake it: for I will shew by sufficient Court rolls, that the Fine of that which is now twenty pound, was then but thirteene shillings and four pence, and yet will you say they are now as they were then?

Sur. Yea, and I thinke I cre little in it. For if you consider the state of things then and now, you shall find the proportion little differing: for so much are the prices of things

Information
hurtfull
in Fines of
Land of in-
heritance.
customarie.

Former
Fines and
Rents, and
the present,
not vnc-
quall

things vendible by Farmers now increased, as may well be said to exceede the prices then, as much as twenty pound exceedeth thirteene shillings four pence.

Far. You speake farre from truth, and I maruaile you will erre so much, pretending to be a man of that reach, that men employ you to ouer-reach others.

Sur. To shew you then an instance, looke into the Chronicle in the time of Henry the sixt, and you shall find, that a quarter of Wheat was sold at Royston in Hertfordshire for twelue pence: and I trust, if you be a Farmer, you are a corne-seller, and I thinke, if a man offer you thirty times as much for a quarter, you will say it is better worth.

Far. Was it possible that Corne was then and there so cheape, and to rise line to this rate? it is very strange.

Sur. Not at all: for since there grew such an emulatiōn among Farmers, that one would out-bid another, (which in the beginning was little seen) it grew at length that he that bought deare, must sell deare, and so grew the prices of things by degrees to this rate as now they be, and a Farmer gets as much by his Farme now, as then he did.

Far. You erre therein, I assure you: for else could Farmers kepe as good houses and hospitality now, as they did then, and alas, you see how vnable they be.

Sur. It is true; and the reason is manifest for where in those daies Farmers and their wiues were content with meane dyet, and base attyre, and held their children to some austere gouernment, without pride haunting ale-houses, Taverns, dice, cards, and vaine delights of charge, the case is altered: the Husbandman will be equall to the Yeoman, the Yeoman to the Gentleman, the Gentleman to the Squire, the Squire to his superior, and so the

John Stow.

Wheat at
twelue
pence
the quarter.

Husbandmen
at royston
Rents of land
and prices
of things
grow toge-
ther.

the causes
why things
have grown
to this ex-
tremity.

rest, every one so far exceeding the course held in former times, that I will speake without reprehension, there is at this day thiry times as much vainely spent in a familie of like multitude and quality, as was in former ages; whereof I speake. And therfore impute not the rate of grounds to a wrong cause, for to tell you truly, both Lord and Tennant are guilty in it: and yet they may be both content, for they are as the Sea and the Brookes: for as the Riuers come from the Sea, so they runne into the Sea againe.

Parr. To tell you truly, you haue said more then I haue heard, and indeed it stands with some reason; and you haue in part satisfied me, that the cause of our complaint is not so grievous, as I and infinite other haue supposed it. Yet to tel you as I and others haue found, there be some of your proffession haue either none at all, or little, or very hard conscientes, and for the most part such as haue least skill: and such indeed I thinke unecessary for Lord, or Tennant: for they cannot but abuse the one or other by their reports: and the records which they make, may haue quarrell many yeares after. And therefore as the Surveyor is a member (as you hold) not onely tollerable, but necessarie, I wish there were sever, and they honest, iust, and skilfull: for to tell you truly, we haue thought among vs Countrymen, that there are more then can be employed, as it serueth by their publique declarations of their want of worke: for as I haue passed through London, I haue scene many of their Bills stred upon posts in the stretes, to sollicite men to affoord them some service: which argueth, that either the trade decayeth, or they are not skilfull, that beg employmēt so publicklye: for *visus pavidib[us] suspensa bedera non est opus.* A good workeman neede not stand in the stretes or market place.

Sur. I confess, in this you haue said truly: for none that is indeede fit for employmēt, will, or needs to crave it, in such manner, for they will be sought vnto and

solici-

Vnskilfull
Surveyors
vnnecessary

Surveyors
Bils vpon
posts in
London.

Solicited. But every one that hath but a part of the art; nay, if he can performe some one, two, or three parts, is not thereby to be accounted a Surveyor, as some Mechanicall men and Country fellowes, that can measure a pece of Land, and though illiterate, can account the quantity by the parts of money, as a penny to a perch, a groat to a daies worke, ten groates to a Roode, and consequently, a marke to an Acre, which manner of casting sufficeth, and satisfieth them in their small accounts, but the manner of their measuring is often erronious, as I will shew you hereafter, if leysure serue. Some haue the skill of plotting out of ground, and can neatly delineate the same, and by Arithmeticke can cast vp the contents, which is a necessarie poynt of a Surveyors office, but not all.

The perfec.
tion of a
Surveyors
office consi-
steth not in
one part.

Far. Hearing your tale soyn, we poore Country men doe not thinke it good to haue our Lands plotted out, and me thinks indeede it is to very small purpose: for is not the field it selfe a godly Map for the Lord to looke upon, better then a painted paper? And what is he the better to see it laid out in colours? He can adde nothing to his Land, nor diminishe ours: and therefore that labour above all may be saued, in mine opinion.

Sar. They that speake at any time against any thing done, or propounded to be done, doe either shew their reasons against it, or else they conceale their conceits; and without any good argument, inveigh onely against the thing. And I know your meaning in misliking plotting of your Land, and yet you viter not what you think for a plot rightly drawne by true information, describeth so the liuely image of a Mannor, and every branch and member of the same, as the Lord sitting in his chayre, may see what he hath, where and how it lyeth, and in whose

A plot of
Land need-
sary.

whose vse and occupation every particular is, vpon the suddaine view; which Tennants mislike, not that the thing it selfe offendeth them, but that by so they are often preuented or discouered of deceitfull purposes. For a Tennant that is both a free-holder and a copy-holder for life, or by indenture for life or yeares, holding these lands intermixt, may easily (vnlesse the Land for life or yeares, be very especially butted and bounded in their copies or leases, as seldom they are, through the sloath of some stewards, or for default of a true hiftury to guide them) appropriate vnto himselfe copy or leased land for free, and especially hauing time enough to alter names and properties, to remoue meeres, and to cast down ditches, to stocke vp hedges, and to smoothe vp truth and falsehood vnder such a cloake of conuenientie, as before it be suspected or found out by view, it will be cleane forgotten, and none shall be able to say, This is the Land: wheras if it be plotted out, and euery parcell offree copy leased, and the rest be truly distinguished, no such treachery can be done against the Lord, but it shall be most readily reconciled. And I dare presume to say, that the want of due plots and descriptions of land in this forme, hath bene the occasion of infinite concealements, and losses of many mens land, and many intrusions and incrochments haue bene made, and so long continued, that now neither memorie or record can reforme them; besides infinite other abuses, which are daily done to the prejudice of Lords, for want of such a monument to be alwaies at hand for their instruction.

Great abuses that grow by Farmers and Tennants that are free-holders.

Want of plots of land prejudicall to Lords.

Far. You ay me unhappyly, I thinke, to some mens purposes: but for my part, I promise you I had no such thought in me, and yet what you say, may indeede be easilly wrought in most Mannors, if they be as the Mannor is wherein I am a Tennant.

a Tennant: soz I am perswaded, there hath not bene any
view taken of it, or perambulation made, or survey had
within the memorie of any man aliuine. And to tell you truly,
I thinkie the Lord hath much wrong both by his owne Ten-
nantes, and by confining Lords: soz so the Lord haue his
rent, and his other duties of vs, he is contented: but I may
tell you, if he did better looke into it, it would be better for
himselfe and his hereafter, yet we wish he would let it rest as
it doth, soz we may doe in manner what we list, and if a Sur-
veyor come, we shall not doe as we haue done, nor hold that
that some haue held, long, without any trouble: but that I
leane, When you say, that plotting is the chiese part of a Sur-
veyors skill.

Sur. I say not so, but I say it is necessary for him that
is a Surveyor, to be able to doe it, and that he be painfull
and industrious, and having this quality with the rest
more necessary, he may be then called a Surveyor.

Tennantes
commonly
with not for
Surveyes.

Who is a
Surveyor.

Far. What are they I pray you?

Sur. To little purpose I thinkie I shall tell you, yet be-
cause you may know that every one that hath the name,
is not indeede a Surveyor, for besides the former faculty
of measuring and plotting, he must haue the vnderstan-
ding of the latine tongue, and haue some sight in the
common lawes, especially of Tenures and Customes,
and must be able to reade and vnderstand any auncient
deeds or records, French and latine, and to iudge of the
values of land, and many other things, which if time will
permit, I will hereafter declare more at large ynto you.

What a Sur-
veyor must
be able to
doe.

Far. Why is there such a precise knowledge required in
a Surveyor?

Sur. Because they are imployd in such busynesses as
concerne greatest persons in their estates: for although
men be indowed, by the prouidence of God and of his
bounty, with honors, Mannors, Castles, houses, lands,

D

Tene-

Reuenewes
the finnewes
of Honour.

Tenements, woods, and other like reue nues, which indeede are the finnewes and ligaments which conioyne and tye honor and habilitie together, yet if these be not managed, guided, and carefully continued and increased by a discrete and honest Surveyor, for and in the name and behalfe of his Lord, and the Lord againe proportion his expence and charge, according vnto or within the compasse of his knowne Incomes, the Lord may be disabled to maintaine that which he hath gotten, the title of honor: and where honor is without meanes, it wanteth the substance, and hath onely the shadow of it selfe to delight in.

Far. It behoues not onely men of nobility, but inferior men also to looke vnto themselves, for the preseruation of their estates, but they indeede that haue but little may quickly view it: *Sufficit ex quo frigilatio curia caballo.* But he that hath many Honors, Barrowes, Lordships, Tenements and Farms, cannot of himselfe take view of them al with ease: for indeed they lye so: & most part dispersed in many parts, & they must be ayed by a skilful & industrious trauncle of some iudicious Surveyor, who finding by his view & examination, the true values and yearely possiblities of his Lords Lands, may be a god meane to retaine his Lord with in compasse of his reue nues, and to make him to be god to his Tenements, and by that meanes the Surveyor shall deserue praise, and his Lord winne more honor. But I marnalls how such great persons did before Surveying came vp: for this is an upstart art found out of late, both measuring and plattting.

A discreet
Surveyor
may be a
good meane
to manage
the Lords
reuenues.

Plotting of
Land, and
measuring,
is very an-
cient.

Sur. You speake, I thinke, according to your conceit, but I will proue it far otherwise, that measuring, plotting, and surveying hath beeene vied in all ages of old. As for description, it was vied in Egypt by *Ptolomy* the King, who decribed the whole world. And where the

River

Riuers Nilus in Egypt overflowed the banckes (as at this day it doth about haruest) the violence of the inundations were such, as they confounded the marks & bounds of all the grounds that were surrounded, in such sort as none knew his owne land: whereupon they devised to measure euery mans land, and to plot it: so that afterwards alwaies at the waters receesse, euery man could find out his owne land by the plot.

Far. Truly that was a most excellent invention, and I thinke it indeede a most necessary course to be held in some grounds that I know in England, which are subiect to like confusion: many Marsh lands neare the sea coaft in Kent, Suffolke, Essex, Suffolke, Lincolnshire, Cambridgeshire, and other Shires confining the Sea, or subiect to great waters, and if they were thus plotted out as you say, I muſt needs confesse it were a god worke, howſoever theſe kindes of grounds ſhould be hereafter ſurrounded, increased or diu- niſhed by the ſorce of the Seas continuaſl rage, wherunto they are daily ſubiect, for by that meaneſ, if the ditches, which are the ordinary meeres, meates and bounds between ſeverall mens lands, be conſounded, this deuice might after the winning of theſe ſurrounded grounds againe, truly re- concile them, and allot every man his owne, which otherwiſe will be impoſſible to bring to true appropriaſions. And this in my conceit, is not the leaſt part of your profeſſion, to lay out grounds in their true formeſ, that every ſeverall parcell may be diſtinguiſhed from other: for I know where great strife hath riſen by conſounding one Maner with another, where the Sea hath won and lost ground, and devoured the true boundes, of which I am not alone witneſſe, and it is dai- ly ſene, that queſtions doe riſe by like caſualties, where towneſ, houseſ, fieldes, woodes, and much land hath bene and are daily devoured, and in ſome placeſ augmented, Riuers by force turned out of their right courses, upon other con- fining landſ: whereof time hath taken ſuch hold, as the truthe is now brought in queſtion, to the stirring up of quarrels be-

Grounds
ſubiect to
ſurround-
ing, fit to
be plotted.

twene parties, which if these places had beene formerly laid out in plot, the doubt would be easilly answered. In these things I cannot but agree with you, that your profession may bled men that haue vse of your traualle in this kind, although no such art hath beene bled, nor is it reported to haue had any vse in the word of God.

Sur. Is there a necessity to produce the vse of this, from examples out of the word of God, when these indifferent things are left to the discretion of man for matters of politike and ciuill society? If every profession shoulde be driven to fetch authority frō the vse in sacred things, many things plentifull amongst vs that liue in a Common-wealth, would be found prophanē: but because you seeme to vrge it, I will not sticke to let you know, that it is not without example in the old Testament. If first you wil haue the proofe of measuring, looke into the 2. Chapter of *Zacharie* and there shall you find, that the Prophet reporteth, that he saw a man with a measuring line in his hand, and he asked him whither he went? and he said unto him, To measure Jerusalem, that I may see what is the bredsh thereof, and what is the length thereof.

Far. I doe remember now that I haue read such a thing indeede, but as I take it, this measurer was an Angel of God.

Sur. Then is the warrant of measuring so much the more strongly confirmed vnto men. But you may perceiue that measuring was then in vse in other things: for had not there been the vse of the measuring line before, how could the Prophet haue known it to be for that purpose?

Far. Prooving a Prophet.

Sur. He could not haue called a thing by it proper phrase, (to the vnderstanding of other) that had not been in vse before, neither could his relation therof haue been vnderstood of them to whom he declared it, vnlesse they also

also had before knowne the like.

Far. Can you produue the like of Surveying?

Sur. Joshua commaunded the children of Israell, that euery Tribe shold choose out three men, that he might send them through the land of Canaan, to view, survey and to describe it: for so is the word, *Ye shall describe the land into seauen parts, and bring them hither to mee.* And what description could they make, without viewing and surveying the places?

Far. It is true that you say, such a view was taken at that time, that every Tribe might haue his portion of inheritance. And surely in these Surveyors was much trust reposed by Joshua the chiefe head of the children of Israell: for according to their report, did Joshua deuide to euery Tribe his portion. This surely was a worke of great discretion and iudgment in the Surveyors, and great prouidence in Joshua: for indeede he could not traualle in all those parts himselfe, and therefore he did wisly to appoint such as were fit to perfore the seruice, and it makes me remember your former defence of the profession, in traualling for great persons, who cannot afford time nor paines to view their owne lands themselves. And it is not every mans gift to be able to deuide Lands into equall, or certaine unequall parts, that men that are parties therein, may hold them equally dealt withall, unlesse it be such a one as hath skill in deuiding and apportionating, which thing comes often in vse among men in this Common wealth. And further authorities, or better warrant then these you haue produced, for my part I will require none, unlesse you can and will voluntarily shew some later examples within our owne kingdome, done in our forefathers times, for I like not novatious and new deuices that our forefathers haue not serue or done.

Sur. If you had time and experience to looke into, and to vnderstand what hath beene done concerning this matter long agoe, you should find in the records of the

Joshua 18.
Surveying
produced by
Scripture.

Euery man
can not e-
qually di-
uide Lands
into many
parts.

Tower even before the Conquest, matter to satisfie you, that this profession was then in vse, and there shall you find the suites. And since the Conquest, the booke called *Doomes day*, lying in the *Exchequer*, wil confirme you I think sufficiently, that it is not as you say a new inuentio. Beside, the same art hath beene in summe and substance established by acte of Parliament, and called *Extenta Manerij*; vpon which Statute, that learned Judge Master *Fitzherbert*, hath written a litle commodious and compendious Treatise: so that if you stand vpon any further authorityes, I will leue you to the present generall vse thereof, which men of best discretion and greatest reuenues doe hold and continue, and none spurne against it, but the malitious or ignorant.

Far. I confess, I was lately ignorant of the things which now in part I know, but I was never malitious: as for the records and Statute whereunto you referre me, I believe you without further search, and for mine owne part I am sorie that ever I haue so with others backbitten the profession, and slandered the honest professors therof: for I now doe well see and plainly understand, that the same is lawfull and expedient, and not any way hurtfull unto the Tenants, if the Surveyor be skilfull and honest, and his information (given by skilful and willing assistants, which are the Tenants themselves) be true, and his help of the Lords records ready: for these are the two pillars, vpon which a Surveyor must of force build his worke, information and record, as I take it, although record be alwaies preferred before verbal intelligence, yet if records be never so autentique and true, of things unknowne to him that hath the examination of them, what can be effected or done, but as by a blind man that knowes his face is to his way, but how and where to step he is uncertayne: and although he desire none to heare him, because his legs are sound, yet he will not refuse to bee led by the hand the way he would goe. So a Surveyor, in my

*3. Edward. 1.
Extenta
Manerij.*

The Lords
Records.
and the Te-
nants in-
formations,
are the pil-
lars of a
Survey.

page

pore opinion, that hath a bundle, nay a whole trunke full of records of seuerall tenements, and parcels of land whose names he can reade, whose butts and bounds he can relate, but yet he sees not the way of himselfe to goe to them, or can say without direction, This is this or that piece of land, and therfore I know, that Tenants must give ayde to a Surveyor, or else he will faile though not in his art yet in the truth of his worke.

Sir. You haue said well, and it appareth your apprehension is good in this busynesse, and indeede the ayde of the Tenants is a good helpe in this case, especially when records are also present: for if record and their information concurre, then is the Surveyor in the right way. But many times if the Surveyor cannot helpe the Tenants by his records when they are at fault, hee shall hardly find which way his game goes: for a skilfull Surveyor carrying his record in his hand, in his perambulation of a Mannor, shall after the first entry be able to guide himselfe, and goe from place to place, from field to field, euen by his owne evidence, if they be truly made, and the butts and bounds right, especially if the names continue vnalterred, and that the Tenants can auow it as he citeth it, and nothing then is to be altered, but the names of owners, who change often. And for this busynesse, the fittest men to accompany the Surveyor abroad are the most auncient, and longest inhabitants within the Mannor, for the Surveyors instruction; and the yongest, to the end they may also learne to know the like, to give like ayde by their experiance to posterities.

Far. Methinks it were a god course (if I be not too sauwry) that a Surveyor should after his perambulations made, and the particulars entred, publikely read the same before the Tenants in open Court, to the end that they may approve or reprove what is true or mistaken, for the best may erre

The Surveyor by the Lords records may in some things guide the Tenants.

The auncient Tenants fittest to guide the Surveyor.

erre in setting downe of many things.

Tenants
vnhilling
to accom-
panie the
Surveyor.

Sur. I like your aduice well, and surely he that doth not so, and compare it also with former records, doth not as behouerth. But I know, and haue found by triall, that Tenants thinke it a hard imposition, once in their life time to attend such a busynesse, they had rather doe any worke, then to doe their Lord seruice, and themselves this good: for many of them are so wise in their owne conceites, as they thinke them fooles that giue any assistance vnto this worke: and some so wilfull, that if they knew that they and theirs should be for euer benefited by it, they will stand aloofe, and any small occasion of their owne will easily withdraw them from it: and some againe are so worldly, that they thinke no day well spent, but that is spent vpon their present profit: & lastly, some are so giuen to their vaine delights, as neither loue of their Lord, or feare of forfayture of their Tenements, or doing good to their neighbors, or securing their posterite, can get any duty in this behalfe to be done by them.

Far. As farre as I conceiuе, the Lord of a Mannor may force his Tenants at such a time, to give their attendance: else you may well thinke, not a few would find excuses enough to absent themselves.

The Law
punisheth
Tenants
that will re-
fuse to aide
him in his
Survey.

Sur. You say well, and therefore hath the Lawe prouided a punishment for those that will not doe their dutie in this, or in any thing that the Lord hath to doe within his Mannor, for ordering of his Tenants. And because Tenants should not be forgetfull of their dutie, they were in former times, and may be still, summoned to the Lords Court euery three weekes at this day. And the Lords remissesse in calling them, hath bred in many places a kinde of contempt, whereby groweth their slacknesse in times of their Lords seruice. But the Lord

of a Manner hath power to punish them, and they are remediable without subission, if the paine be within the compass that the Court will bear, which is large enough to weary him that is most arrogant.

Ser. You have familiarized me in many things whereof I binfited, you have curst the punishment it selfe of many scoundrels, and for my part I will henceforth speake more sparingly, and advise such as I hearke to forward to be better advised. And were I perhappes fully, that I my selfe might be a Scoundrel, and yet keepe a good conscience, I would wish I were also capable of the same faculty.

Ser. And if I were perswaded, that you would giue an indifferent eare, and afford an impartiall censure of what I would deliver vnto you, I could be contented to bestow some time to shew you what were fit to be done, to the attaining vnto such a measure of knowledge in the same, as might enable you to sted your selfe and your friends in that kind of office.

Ser. I would think it well, if I could attaine but to lorne part of this faculty, I woulde leave the rest to better capacities; but my desire is farre from it, if I may not be assured that the practice is lawfull, for I woulde deal with nothing, whereto I might stand fearefull that God alloeth it not.

Ser. I like you wel, I wish him that you seeme to feare, to favour all your honest desires, and mine, and that his blessing may follow every our good intendours: for who soever vndercaketh any profession, be it never so lawfull or expedient and necessarie for Church or Commonwealth, and hath not the grace and fauour of God to guide him, he may for a time seeme to prosper in it, and to flourish and ruffe it out with shewes of great blessednesse, but it is but like *Torahs Gourd*, that grew vp in one night very great & faire, but wrythered the next morning.

Ser. That I thankes God I haue learned, and to tell you truly,

that I haue
seen the
beginning
of the
whole

and end
of the
whole

beginning
and end
of the
whole

A good
mundo
-to-life
means you

No profes-
sion with-
out the
feare of
God can
prosper,

one can
vise
or bandish
any small
naill

The bra-
uest is ac-
compted
most skilful

The simly
honest,
most ful-
posted.

Though
the wicked
seeme not
to see their
owne errors,
God leeth
them, and
will disco-
uer them.

Some are
naturally
inclined to
some pro-
fession.

for my part I have had the like experience, being
free from either covetousnes, and intemperance, then
to get private wealth thereby : yet altho' not the moile,
but more aime conscience can recompence me for it : for
such riches cometh of many a secret sinne, wher beth it a
privilege or a punishment to have such wealth? but that can
hardly be knowne, and therefore I will say, that he that went ac-
count with me, and with his conscience, and to have
Ghill in these purveyours, and to have the same bears not the
reape to his selfe, and to beare it with them in
the world, and to beare it with them in
their honest carriage, and meane rare in the world, than of
their abillity to permede what they undertake suspitionis; yet
had I rather of the twoe, chose the last, howsoever my repu-
tation by employmant be regarded in the world.

Sir. You are in the right way of a good-conscience,
which is a condicioneall feast, such a feast, and of such sweet-
nesse, as the world cannot see or vnderstand the same;
but happie is he whose conscience accuseth him not : for
howsoever men may seeme to set a good face on evill
actions, as if he could not accuse himselfe by his due ex-
amination of his owne heart, yet it will come to passe
that his conscience will one day bewray it, to his intol-
lerable terror, and he shall be forced to accuse, judge, and
condemne himselfe without any further witnessesse. And
this I rebukes is the end of all such as wanke of God, and
lives not uprightly and iustly in their callings: for it is none
the calling it selfe that corrupteth the man, but the man
may be corrupted in his calling, and abuse his best pro-
fession; therefore I say, see that thou findest thine inclination
on a private this profession, and in thy desire thou steech
blicke not so attempt the same, for some professions are
more natural then others to every man, and all mysteries
and sciences wherover are attained by force with grea-
ter

ter facility and easie then by others; and some by small industry, study, and endeavour shall attaine quickly to that perfection in some faculty, wherein another shall never excell, live however so long, and be the better so studious and painfull. *as bind to you to doth I shal not
be bounde* *3 my selfe in earnest, pleyn to this
course of life, how it will successe, shal be sommy practise:*
*but that is the least doubt, alwaye faine is, whether I may doe
it and yet serue God.*

Sir, Know this that, if thou bee already of a godly conuersation, having the truofearc of God sealed vp as it were in thine heart, and dost not desire this profession, as Simon the Magician did, for lucres sake, only as hee desired diuine knowledg, thou mayst assure thee, this profession will not hurt thee, although the workeman is worthy of his hyer: for none will force thy labour for nought *operatus dignus mercade, and dulcis labor cum lucro.* If men did not get by their honest paines, it were meere slauery to vndertake any kind offaculty. But to come to the lawfulness of it, know that it is the manner of the execution, and not the matter of the profession, that woundeth the conscience. Every man is not borne nor bound to one faculty or trade, neither consisteth the common wealth of one member, but of many, and every one a seuerall office, too long to expresse them all in kinde. Is not the eye Surveyor for the whole body outward, and the heart the searcher within? and hath not every common wealth overseers of like nature, which importeth as much as Surveyors? And is not every Mannor a little common wealth, whereof the Tenants are the members, the Land the body, and the Lord the head? And doth it not followe that this head shal have an ouarter or Surveyor of the state and government of the whole body? And fol-

*Exhortation
to the
saints
to
spiritual
works
and
abstinen
ce*

The maner
of the ex
ecution, nos
the maner
executed
hurteth.

Surveyors
of the body

*annex 3. 1633
A Mannor
is a little
Common
wealth.*

Princes and
meane men
Survey
their small
things e-
uen their
little Farmes

lowes it of necessity, that the office is golyfull? And if
such office maketh not the office triuful, no more then a
crabbed face impaireth the faire glasse wherein it loo-
keth, or a dusky cloud corrupt faire water whercon it
lowreth. In case of Survey of Land, against which you
haue so much iustighed, if youe will haue it in your sove, and
make it your owne case, you will say perchance, the case
is alred. You haue now prouidence a small Farme,
will you bee carelesse and dissolute of the estate thereof?
will you not wey and consider with your selfe what Land
is fit for Pasture, what for Arable, what for Meadow, and
the like? And will you not command your servant to
view it dayly, that no trespasses bee done therein, and to
see vnto the hedges, ditches, fences, water-courses, gates,
and such like? Will you not regard the estate of your
Cattell, their number, health, and safety? And haue you
not a continuall watch ouer all your seruantes and chil-
dren, and to the preseruation of things within and with-
out? If you doe thus in one small Farme, what would
you doe in many, could you let vnto them all your
selfe? If you had as many Mannors, would you lie at
home and receue the rents and fines that your Ten-
nants would bring you, without consideration of the
estates or values quantities or qualitie of the things for
which you receive money? And why haue you this care,
or Would you looke into these things? Is it not, because
it is your living and livelyhood, by which you and yours
are maintained? And how much the more it is neglec-
ted, so much the more it decayeth; & if it decay in quan-
tity, you cannot continue equal in quality. And can you
therefore thinke it a hard course in that Lord, that ha-
ving his Lands which are his livelyhood, dispersed in di-
ffirent parts, to haue noe power to haue them all under
one roofe?

If Reue-
newes de-
cay, a mans
estate die.
sayes. I ha-
dise
WCH

uers parts of the Realme, to which through greater im-
ployments of importance, he cannot personally resort, if
he could it is neither for his experience nor fit for his cal-
ling to traualle therein) to authorize and send such as
may take view of his reuenues, and of the estates of his
Tenants, who are by custome and law in many things
bound vnto him, and that by such his substitute, hee may
be truly aduertised of what he hath, and how his meanes
doe arise that he may proportion his charge and expen-
ses accordingly; and whether he be abuited by his Ten-
ants, or his Tenants by his officers, or one Tenant by a-
nothere, or the Lord wronged by confining Lords, by
intruding too farre into his lands, how rents be answe-
red, and customes continued, how free-holders doe per-
forme their liues vnto his Courts, how his Tenements
are maintained and repayred, how his Woods are pre-
serued, his fishings, fowling, and prerogatiues maintay-
ned? All which, by how much the more they are neglec-
ted and let runne without view or suruey, so much the
more doth the Lord weaken his estate, and prejudice his
heyre wherein, it cannot be denied, he offendeth God,
deceiueth the King, and defraudeth the Common-
wealth. God, in that he is carelesse of his blessings be-
stowed vpon him. The King, in that he wilfully disableneh-
thimselfe to doe him the seruice he oweth him in body
and goods: and the Common-wealthe, in that he disableneh-
thimselfe to give it that assistance, that his quality and
place ought to affoord: and consequently, sheweth him-
selfe vneworthy to ouersee matters of State and Com-
mon-wealthe, that is carelesse to see vnto his owne. Fur-
thermore, where a due and true suruey is made and con-
tinued, there is peace maintained betweene the Lord and
his

Great
Statesmen
cannot sur-
vey their
own Lands.

The charge
imposed
vpon a Sur-
veyor.

Wherein
Honours-
ble persons
doe offend,
in neglect-
ing their
Reuenues.

True Sur-
veyes con-
tinue peace
betweene
Lord and
Tenants.

his Tenants; where, if all things rest betweene them confused, questions and quarrels arise, to the disturbance of both. In priuate families, if there be none to oversee and to manage things domsticall, what disorders, what outrage, what vnciuill and vngodly courtes, and what spyle and ruine of all things doe follow? The like of necessity, where Tenants are left vnto their owne wils: and yet, as the vnruly company in a family could be contented to be masters of themselves, and to haue no controlement: So Tenants can well brooke their Lords absence, and that they might be their owne caruers, and that the Lord should haue what they would yeeld of their own accord. I speake not of the honestly minded: but wher a multitude is without a guide or gouernor, there is disorder; and disorder breedeth complaints; and complaints are vnsafty to a kynd Land-Lord, who must be forced for redresse, to punish the offendours: and the most offensive will speake most of their wrong, and will soonest exclayme against any course that may keepe order. So that, to conclude, I affirme, that it is most requisite and expedient for due order sake, that euery Lord of a Mannor should cause his Lands to be duely seene, and truely Surveyed and certified, and once in seuen or tenne yeates to haue it reviewed: for the inconueniences that grow by the neglect thereof, are of so many kinds, and they so dangerous, (like the most perilous disease long concealed) that they worke contempt in the Tenants, and losse to the Lord. Now, to keepe this vpright betweene the Lord and his Tenants, I thinke you cannot deny, but a true and honest Survey is necessary and lawfull, and may be performed with a good and safe conscience, and in the feare of God: if (as I haue said) the conscience be not before stained

The faulter
will but
find fault.

A Survey
must be re-
viewed once
in seuen or
ten yeeres.

stained with the corrupt desire of unlawfull gaine, and (as I said before) I thinke few or none will mislike this course, but such as are farre gone in some disease of deceyting their Lord, which cannot indure to haue this kind of shame to come hotte their sore.

Fare. Deere Sir, I knowe not how to answere you, but doe consent to that you affirme: for mine owne part I can not but confess, I saye this nothing in minnes experiance to contradict your speech. But wittit it is that Suckenours should be ignorant, or unynctis for the one especially abuseth the Lawe, and the other misgiveth both Lords and Tenants.

Sir. But whether is there cause, in your conceite, to approoue or reprooue the profession, as it is simple in it selfe? Deliver your mind plainly, leane not a scruple in the mindes of your Neighbours, that haue excludid with you against them that never offendid them, reproouing as much as they durst, Lords, for looking into their owne lands: and vnlesse Lords were dead images or Pictures of men, hauing onely the name of Lords, and could not at all command their Tenants, that could neither heare, see, nor consider what were fit to be done with their owne proper Reuenewes, I cannot but wonder, that any shold spurne against them herein.

Fare. I thinke you speake something to mynety against Tenants in generall: for surely all are not opposite to this course, though some be.

Sir. I condemne none, but I reprooue some, that of mine owne knowledge haue giuen testimonie of their inward dislike, by their outward murmors, for what is done with an euill will, can not besaid to be done at all. Such as come cheerfully to the seruice, are duetifull, and I hold it impicte to abuse them, but the vnpwilling deserve little favour.

and

None mis-like true
Surveyes,
but decei-
uers.

Lords that
will not
looke to
their owne
Lands, are
as dead I-
mages.

Euill will is
never duti-
full.

Far.

What Tenants should doc in the Lords Survey.
Far. What should Tenants principally doe in such a busynesse?

Sur. Nothing but that Law, Custome, and due diligence requireth at their hands, to give their best aide to the Surveyor, to trauell with him about the Circuit, Bounding, Bounds, and limits of the Mannor, to informe him of the same, and of every particular mans Land, and Rent; to shew him their copies, leases and deeds, to the end he may enter & enroll them all together in a faire book, for the Lords vise, and for a perpetuall record for themselves.

Far. For information, and shewing the particular grounds and bounds of the Mannor, whiche is fit, but for their evidence, as their copies and leases, the Lord hath the Court rolls of the one, and counterpanes of the other: and for free-holders leases, their Land is their alone, and whether they may be compelled to shew them or not, I cannot tell.

View of Evidences necessary.
Sur. There are fruulous doubts that some haue formerly made, but they haue beeene answered to their cost, for the law hath compelled them to shew their evidence. For, admit the Lord of the Mannor haue the rolls wherein the copies are Recorded, may not Copies be abused after their entries, or counterfaid in somethings prejudiciale to the Lord, as may also the lease, as hath beeene found oftentimes, names and liues of men, parcels of lands, dares of yeaues, and such like, rased, inserted, or altered? And is it not fit therefore that they be seene and entered together, that without search of so many Court rolls the Lord may be satisfied, and the Tenants justified. And what prejudiceth it the Tenant, to haue his evidences truly recorded, if he meane plainly, be it copy, lease, or free deede? he may thinke it a confirmation of his estate, what casualty soever come to the same, he may be the better assured that such a record will witnesse with him:

Enterie of Deeds convenient for the Tenant.

him: whereas if none such appeare, his interest will be the more suspitious: and therefore such as are wile and discrete, will not onely consent to this good course, but be thankfull vnto the Surveyor as behoueth. If it be iust and right, that the Lord shoulde know his owne, and who should manifest it, but the Tenant himselfe? and how should he doe it, but by his euidence? And most vnjust it is in that Tenant, that by any wilfull or sinister meanes or couert practise, doth eyther detract his fellow Tenants from the seruice, or concealeth any thing that may further the same.

Farre This I cannot deny, although indeede some busie fellowes will dissuade, and brede a doubt herein, but I see it is to good purpose and for our better security, to doe all things requisite in this busynesse, and that all the Tenants within the shanno: should conioyne in one, and every one for himselfe, and all for one, and one for all, should seeke, examine and declare the vttermost truth of every thing, towards the exact performance of this seruice, and that the Surveyor should know the quantities, qualities, and indifferent values of every mans Tenement and Lands, their rents, seruices, custome, works, and whatsoeuer the Tenant is in law or conscience bound to yeeld or performe to his Lord: and indeede thus much haue I heard giuen in charge at a Court of Survey, with many other articles, which are now out of my mind: all which may be done by Tenants with a god conscience, both by relation in Courts, and in the perambulation: but the concealing of these cannot stand with an honest mind in mine opinion: for these things of themselves cannot pruidice the Tenants, but the misconceining, misentring by the Surveyor, may be errorious, and the ouer-tacking, vrging, and ouer-burdening the Tenants by the Lord, may be extortious. These things may fall out by meanes of an vnjust and vnskilfull Surveyor, and a

The Te-
naants ducic
in the
Survey
what things
are euill in
a Survey.

The principall causes
of instituting Man-
nors.

Tenants
are now in
conceite
more free,
then in for-
mer times.

Auncient
bondage.

couetous Land-Lord. And the feare of this maketh the Tenants to extenuate the values, and to smother the truth of things to their soules danger: therefore happy are those Tenants, that haue a gracious Lord, and an honest Surveyor: for then there cannot be but an equall and upright course held betwene them: then cannot the Tenants but be faithfull and louing to their Lords, and their Lords fauourable to them, so shold the Tenants be defended by their Lords, and the Lords forfised by their Tenants, which were the two principall causes of the originall foundation of Mannors, as I haue heard.

Sur. You say rightly, and I am glad to heare you conceiue so well of this apparant necessity: for so may I say, that it is of necessity that the Lord shoulde know the full and absolute estate of his Mannor, and of every particular thereof: for howsoeuer of late dayes Tennants stand in higher conceites of their freedome then in former times, if they looke a litle backe into antiquity, they shall see that Tennants (for the most part) of euery Mannor in England haue beene more seruile vnto their Lords, and in greater bondage then now they are, whom the fauourable hand of time hath much franchised, and it cannot be altogether euery where forgotten, because they may see as in a glasse, the picture of their seruitude in many ancient custome rolls, and in the copies of their own ancestors, and many seruile works haue beene due and done by them, and in many places yet are, though the most are now turned into money: but neither their infranchisements, nor the conuersion of works into rents doe so farre free them, but that they still owe seruices vnto their Lords, in respect of their Tenures, as wel free-holders as customary Tenants, as both in most of their copies and deedes

deeds is expressed by these words, *Pro redditu & seruitijs inde prius debis. & de iure consuet.* Which proueth their Tenures in a sort to be conditionall: which condition if it be wilfully broken by the obstinate carriage of any such Tenant, he indangereth his estate.

Every inferiour estate
is conditionall.

Far. It were hard, if for not doing some small service vnto his Lord, a man should forfait his living.

Sur. And it were very foolishnesse in a Tenant, for wilfull refusall thereof, to indanger the same: for if the Lord be in lawe tyed to maintaine the right of his Tenant, and to defend him against any other that shall pretend a false title vnto his land, the Tenant is againe bound to performe all such seruices, and to pay all such duties as of right he ought vnto his Lord. And it is expedient that the Lord should see these duties continued, and it hath beene and is daily obserued, that the neglect thereof extinguisheth the remembrance of them, and so the Lord loseth his inheritance: for euery seruice of the Tenant is parcell of the same, and the remissesse of looking into these Tenures, hath brought it to passe, that infinite within this kingdome, that hold in fee, quillets of land, and some Mannors, know not how or of whom they hold: so that hereby Lords of Mannors, of whome these quillets were heretofore knowne to hold, haue lost their Tenures and seruices, and such as hold the land by vnkownne Tenures, are cast into the danger, to hold to their, and their posterities further hurt.

The Tenants seruice is parcell of the Lords inheritance.

Discontinuance of seruice hurtfull to the Lord.

Far. If Tenants will be wilfully obstinate, and refuse to doe and continue their vttermost seruices vnto their Lords, as bound by their Tenures, being (as you say) parcell of the Lords inheritance, they are worthy to be attatched of disobedience, and to pay for their contempts: and if Lords will bee so negligent, as they will not looke vnto their owne, they are

Service of
the Tenant

worthy to loose their right, and therefore I hold it discreet, on in the one to doe his duty, and prouidence in the other to continue what is due: and if by age or impotencie the Tenant be disabled in person to persone his seruice, to crave dispensation, or to doe it by another: and if the Lord be farre off and cannot be present, to substitute one to receive it for him. But Sir, in all your discourse, I haue obserued, you haue pleaded (as it were) for the Lord, against the Tenants, exacting sundry duties from them to their Lords, but I haue not heard you speake much against the Lords in fauour of the Tenants, and yet I know there is a kind of reciprocall bond of duty each to the other, & may be broken of either side.

Sur. It is very true, for as children are bound to their parents by the bond of obedience, so are the parents bound to the children by the bond of education: and as seruants are bound to their Masters in the bond of true seruice, so are the Masters bound to their seruants in the bond of reward. In like manner, Tenants being bound vnto their Lords in the bond of duty, so are Lords bound vnto their Tenants in the bond of loue: and though I haue said little at this time of the duty of Lords to their Tenants, the occasion hath not been offered at this time.

Far. I trust you haue said enough concerning the duty of Tenants, for they can but pay rent, and doe seruice, more cannot be exacted.

Sur. Yet rent and seruices are diuers and diuersly answered and done, which I could be content to shew you more at large, but that yonder comes a Gentleman that will interrupt vs: know you what he is?

Far. I will tell you by and by as he comes neare. Oh Sir, it is my Land-Lord, a man of great possessions, Lord of many Mannors, and owner of diuers Farmes, who hath bene inquisitive for a man of your profession, but to tell you truly, I altogether dissuaded him before this time: but now

now having heard your reasons, I will ſolicite him for your
employment, and I would wish you might undertake ſome
the Manno; wherein I dwell.

Sir. At his diſpoſition and pleaſure be it: and ſo for
this time I leaue you.

The end of the firſt Booke.



...vraeg te zullen staan tot libere en vrije weg d' recht van den vader
Den vaders land tegenover den vader. D' recht van den vaders land
Sal blyven die den vaders land tegenover den vader.

...vraeg te zullen staan tot libere en vrije weg d' recht van den vader



THE SVRVEYORS DIALOGUE, BETWEENE

The Lord of a Mannor, and a Surveyor:

wherein is intreated of the state of a Mannor,

of the parts and profits therunto belonging:

and how the Lord of a Mannor ought
to deale with his Te-
nants.

THE SECOND BOOKE.

Lord.

Friend, of late I met with a Tenant
of mine, who told me you are a Sur-
veyor of Land.

Sur. I haue bene, and am some-
times employed in that kinde of
service.

Lord. I haue at this time some oc-
casyon to vse the aide of one of your
Facultie: and I haue heard by my Tenant, that your skill
and diligence may satisfie my desire therin.

Sur. I shall doe mine endeour wherein you please
to command me.

Lord. There be many, I know, that beare the name of
Surveyors, but when they are put to it, they come farre short
of some principall points required in the absolute perfor-
mance

All that pro-
fesse it, are
not Sur-
veyors,

Ignorance
in Survey-
ors dan-
gerous.

Some not
hauing the
name of
Surveyors,
may haue
the skill.

mance of the worke, and either leaue it halfe done, or so shus-
tle it vp, as the Lord is abused, and the Tenants wronged,
by the blind and uncertaine returnes of the Surveyors tra-
uailes : for a Lord of a Mannor knoweth not, but by such
as he vseth therein, the estate of things , and how the parti-
culars stand betwene the Lord and his Tenants. If the
Lord of the Mannor haue never so god a mind to deale well
with his Tenants, & the Tenants bee never so inclinable to
doe true duetie to their Lord, they may be both misled by an
unskilfull Surveyor, to the bruisl condempnacion or suspicio-
n of both. And therefore I thinke it behoueth men of
worth, that haue vs of such as you are , to be well assur'd
of the skill and abilitie which you pretend to haue in your
Profession; and because I haue no further experiance of you
then the bare report of my Tenant, I must intreate you to
discourse vnto me a little of your knowledge of such par-
ticulars, as are to be consider'd in the absolute Survey of
a Mannor.

Sur. Sir, you seeme to oppose me farre , and the
thing you demaund , will require a longer time, and a
larger Discourse , then either my leisure , or peraduenture
my present memorie of every particular will readily
permit. And it may bee , that you that pretend little
knowledge in the Arte, may apprehend both the truth
of the thing , and an errour committed in the perfor-
mance , as well as hee that assumeth the Title of a Sur-
veyor, although neither your leisure nor your qualitie
may in reason permit you the trauaile in it : For I know
many Gentlemen of good worth, that haue the Specu-
latiue parts of the whole , and the practike of the dee-
pest, and yet they will not bee seene to tred that path
that a Surveyor is forced to doe, in the whole busynesse.
You haue the matter and subiect whereon a Surveyor
worketh, and without which a Surveyor loseth both
Arte and Name , and therefore you cannot bee altoge-
ther

ther ignorant of the things required in the busynesse, as the Master of a feast cannot dresse the dainties, but the Cooke, yet can the Master reprooue the Cooke if hee doe not his duty therein.

Lord. Thou saist true in thy comparison: but for my part although indeede I haue Land, and I know how many Mannors I haue, their names, and where they lye, and the most of my Tenants, and their rents, and if you shold erre in these, it may be I might be able to reprehewe you, yet for matters of further search, I assume not to be skilfull, for then I knew not your seruite, as of quantities, qualities, values, validities of estates, Tenures, customes, and other things incident to a Maner, which are not in all Mannors alike, the true discouerie wherof belongeth to the Surveyors office, yet none but such as are truly skilfull, can sufficiently discharge the duty herein required: and therefore by your leaue, you shall briefly (I will not be tedious) relate unto me what you can say of the definition of a Maner, wherof it consisteth, how, when, and by whome it was erected with other such things as shall be expedient for the Lord of a Maner to know, the particulars wherof I will leaue to your relation, and first tell me what a Maner is.

Sir. Sith you will needs due into my poore skill, by your opposall, and sith indeede I doe in some measure professe the art, wherein I thinke no man is or hath beeene so exquisite, but he might erre in some poynt or part much or little, as in other arts, yet to answere your deauaunds, I will as briefly as I can satisfie your desire. And first, where you deauaund what a Maner is, A Maner in substance is of Lands, Wood, Meddow, Pasture, and Arable: It is compounded of demesnesse and seruices of long continuance. As touching the beginnning of a Maner, and the institution thereof, the beginning of Mannors was, when the King gaue lands vnto his followers,

A man may
erre in
whatsoever
Arte.

What a
Maner is.
Perc. 1. 137.

The begin-
ning of
Mannors.

in such quantity, as did exceede the proportion of a mans manurance and occupation, as a thousand, two thousand Acres more or lesse: which quantity of Land being at that time as it were in a lump or *Chaos*, without any distinction of parts, or qualities of Land, he to whom such land was giuen to hold to him and his heires for euer, enfeoffed some others in parts thereof, as one in ten, another in twenty, and some in more, some in lesse Acres, and in consideration of such feoffments, every of these were to doe the feoffer some kind of service, as he, and they agreed vpon, reserving such a part vnto himselfe, as he might conueniently occupy in his own hands, and by this meanes the Land thus given by the King, and thus proportioned out to others by the *Donce*, became to be called a *Mannor*. And he that was thus invested in this Land by the King, was in respect of such as he enfeoffed, called the *Lord*, and such as were enfeoffed, were called *Tenants*: *Lord*, in respect of government and command; and *Tenants*, in respect of their *Tenures*, and manner of holding vnder the *Lord* whom they were to obey.

Lord. But when or about what time was this erection of *Mannors*?

Sur. As I take it, and as it seemeth, in the time of the Normans: for among the Saxons was no such name as the name *Mannor*, yet the thing even in substance was then, for they had *Demesnesse*, and services in substance, but the *Demesnesse* they called *Inlands*, and the services *Vilands*; so that it differeth onely in name, but in iurisdiction little or nothing at all.

Lord. Whersoever it is called a *Mannor*?

Sur. There is some difference of opinions whence the

Lords and
Tenants
why so cal-
led.

When Ma-
nors began

Inlands.
Vilands.

the word Mannor should be derived: it is in Latine called *Mancum*, yet a word not vsed among the Romans or auncient Latines, and therefore to find the etymon by it, can not be: for the word is vsed among our Lawyers, as many other made words are, which haue been termes raised by our Lawes, and are not else where in vse; and therefore the neerest way to find the signification of the word, is by the quality of the thing: so that some hold it should proceed of the Latine verbe, *Manere*, which signifieth to abide, or remaine in a place, as the Lord and his Tenants did in this, whereof the head house, or the Lords seat was called *Berrye*, which signifieth in the Saxon tongue, a dwelling place, which contigueth yet still in Hartfordshire, and in diuers other places, and is also taken sometimes *pro castro*, which was also the seate of the Lord of some Mannors. Mannor houses were also, and yet are called in some places, *Hals*, as in Essex, and Northward: Courts and Court-houles *Wextward*, as in Somerset, Deuon, &c. as also Mannor places: all which are places of the Lords owne abode, and therefore it may not vnfitly be said, to take name of abiding or dwelling. Some think, and not improperly, that it taketh name of the French word *Mancemirr*, which signifieth to till and manure the ground. And of the two, I take this latter to bee the most proper derivation of the word Mannor: for therof are many chiefe houles of tillage called *predia Graunges*. It may also take name of *Maunier*, to gouerne and guide, because the Lord of the Mannor had the managing and direction of all his Tenants within the limits of his jurisdiction. Of these derivations *qualem manus accipe*: necessity tyes to neither.

Lord. These significations of the word may stand all

Whence a
Mannor ta-
keth name.

Berrye. quid.

Hales.
Courts.

Predia.

with sense, and much materiall it is not whence the word ariseth, but the likeliest is indee that which most agreth with the property of the thing. But I haue within my Manors sundry mesuages: whence is the name derived?

Sir. Of Mesus, or mesuager, which is as much to say, as familiars administrare, to gouerne a houeshold: for curry of the Tenants had his family, and of diuers of them and of the Lords family did a Mannor consist.

Lord. Then no doubt, if a man haue a thousand Acres of Land more or lesse, to him and his heires, which lyeth in one intire parte not yet deuided, may be deuided into partes, as a portion for the Lord himselfe, and some parcel to erect such mesuages for Tenants to doe him seruice, as he may make a Spanne; where none was before.

*Sir. No Sir, for although a man haue a competent quantity of Land in his manuurance, and would conuert it to the end you speake of, were it never so great, and could establish many mesuages, and could erect whatsoever seruices, this would not become a Mannor, because all these must haue long continuance, which cannot at this day be confinid by any priuate man, but by the King onely: but he may haue thereby a kind of *seignory*, a Lordship or gouernment in grosse ouer his Tenants by contract or covenant, but no Mannor. Ne man at this day can create a seruice or a tenure, or by any means rayse or erect a Mannor: for there must be very Lord and very Tenant in fee simple, and that of auncient commencement and continuance, or else it can inure no Mannor. For a man may haue demesnese to occupy, and Tenants to doe him seruices, and that of continuance, and yet no Mannor. As if a man that bad land, did give part of this land in former time to some others in tayle to doe him seruices, here are demesnese in the donor*

Mesuage,
whence it
taketh
Name.

A Mannor
may not be
made at
this day.

donor and seruices in the donces, and a Tenure: yet becauserhere be not very Tenants in fee-simple, it maketh no Mannor.

Lord. Whether are al lands holden of a Manno; parcell of the same Manno?

Sir. No Lands may be holden of a Mannor by certaine seruices, the seruice may be parcell of the Mannor, and yet the Lands not.

Lord. But may not this Land be made parcell of the Manno; at this day?

Sir. By no other meanes but by escheat, for if the land fall vnto the Lord by escheat, then it comes parcel of the Mannor: for then is the seruice extinguished, and the Land commeth in place of it.

Lord. May not a man purchase Land that lyeth neare his Manno; and annexe the same, and make it parcell of the Manno;, though it held not of the Manno; before?

Sir. Forraine Land newly purchased, though it lye within the precinct and bounds of the Mannor, cannot be annexed, though the Tenant thereof be willing to doe his seruices there: for this is in nature of a new creation of a Tenure, which at this day the lawe will not admit, only the King by his prerogative may.

Lord. What if it were tyed into the Lord of a Manno; for the payment of an annuity, is not the annuity then parcell of the Manno? And if that Land be purchased by the Lord, and thereby extinguish the annuity, doth not that land come in place of the annuity, and so become parcell of the Manno;, as the Land you speake of before, which by the escheat ran in place of the seruice.

Sir. The case is not alike: for the annuity was not parcell of the Mannor, neither can it be by such meanes as you propound by the way of Mortgage. But in another sort it may: as if a Mannor be to be deuided into

22.2.1.47.53

fundry parts, and because the parts fall out vnequall in value, there must a rent or annuity be apportioned to make vp the value, which rent becomes parcell of the Mannor.

Lord. If the Mannor be diuided, as you say, and a Rent allotted to one part, how can the Rent bee parcell of the Mannor, soz as much as in my understanding, the Mannor becommeth by this partition, to be no Mannor: For if there can be no addition to a Mannor, there can be no diuision of a Mannor, and yet the Mannor to continue still a Mannor.

Sur. Ycs Sir, of one Manner may be made diuers at this day.

Lord. How I pray you.

26. H.8.4.

Sur. If a Mannor descend to diuers partners, and they make partition, and every one hath Demeisnesse and seruices, every one hath a Mannor, and every one may keepe a Court Baron.

Lord. What if a man make a Feoffement upon condition of parcell of his Mannor, or doe graunt a Lease to another for life of part, or doe Intaille part, are not these parts still parcels of the Mannor?

Sur. If parcels of a Mannor bee once thus scuered, they immediatly become no parcels thereof: Yet may they all reuert and become parcels of the Mannor againe, as if the condition of the Feoffement bee broken, if the Tenant for life die, or the limitation of the Intaille discontinue for want of heires.

Lord. Then a man may say, that though such Land bee not, yet the reuersions are parcels of the Mannors.

Sur. So it is intended.

Lord. Well, you haue reasonably well satisfied me in these points, yet would I gladly haue some further satisfaction of some other matters, touching the state and profits of a Mannor.

Sur.

Sur. I would bee willing to doe my best to content you, but you partly hinder me of other businesse. What else would you know? I wish breuitie.

Lord. It shall be so, neither shall you lose your labour: for I meane to vse you, if my future satisfaction be answerable to this former, may euery Mannor keepe a Court Baron?

Sur. Euery Mannor in the beginning, no doubt, might keepe a Court Baron, and so it may at this day, vnlesse the Mannor be so disnembred, as it wanteth that which may warrant the keeping thereof: For if all the Freeholders of a Mannor doe Escheat, or all but one, the Mannor is then disabled to keepe a Court Baron, for the Court cannot be kept without suters, which are the Freeholders.

Lord. Then me thinks, the Spawmors loseth the name of a Mannor: for if it lose the quality, it is not the thing: no more then a Logge that had fire, can be said a fire-Logge, when the fire is extint.

Sur. It is true, it becomes no Mannor, but a *Scignory*, hauing no power to keepe a Court Baron.

Lord. An ignorant Surveyor, I see, may be easly deceyued, in terming that which is no Mannor, a Mannor, and that no Mannor, which indeed is a Mannor. But satillie me in this one thing. A man hauing two Spawmors lying together, and the one of them is decayd, and hath lost his power to keepe a Court Baron, and the Lord is willing to haue the Tenants of both these Spawmors to doe their suites and seruices to one Court, namely, to that which standeth yet in force, and that me thinks were good for the Tenants to eale them, and it would preserue the Lords right without preiudice to any: for then one homage would serue both, and both leue as one, one Waylise, and other officers, as if it were an intyre Mannor.

Sur. Yet this cannot be, for this vniion of the Mannors

Euery Ma-
nor may
keepe a
Court Ba-
ron.

35.H.8.

A Mannor
may loose
the proper-
tie, and is
the Name.
Fitzb. 3.c.
A Seignory

How two
distinct
Mannors
may be
made one.

nors cannot extinguish their severall distinctions, for they will be still two in nature, howsoeuer the Lord conueit to make them one in name, and the more powerfull Mannor hath no warrant to call the Tenants of the decayed Seignory, but every act done in one to punish an offendour, in the other is trauerisable, and therefore it is but lost labour to practise any such vniōn: if it be considered by such as are forced to seruice in this kind, they may refuse it: yet if they will voluntarily submit themselves to such a nouation, and the same be continued without contradiction, tyme may make this vniōn perfect, and of two distinct Mannors in nature, make one in name and vſc, and I doe not thinke but such there are.

Lord. Then is there, as it semeth, no meane to annex two Mannors in one, howsoeuer necessary it were both for the Lord and Tenants.

Sir. Yes Sir, two Mannors may become as one, if one Mannor doe hold of another, and it escheat to the Lord, the eschewed Mannor may be annexed, & united, and of two distinct Mannors become one, if the Lord will, in vſc.

Lord. I am answered in this poyn̄t, and it standeth with more reason indeude then the former: now I pray you tell me what things doe properly belong to a Mannor.

Sir. There doe belong to a Mannor, Lands, Tementes, rents, and seruices, as I shewed you before in part, which are a parcel in *demeisneſſe*, & parcel in seruice.

Lord. But speake, I pray you, something more at large of every of these, and tell me what *demeisneſſe* are.

Sir. *Demeisneſſe* are al such Lands, as haue beeene time out of the memory of man, vsed and occupied in the Lords owne hands and manurance, as the Site of the Mannor house, Meddowes, Pastures, Woods, and arable land,

land, that were reserved for the maintenance of the
Lords house from the beginning.

Lord. This then is that you call parcell in demesne: what is that you call parcell in seruice?

Sur. All thoselands, tenements, and hereditaments which yeeld rents of assize, as rents of freehold, copyhold, or customary land: all which are parcell of the Man-

nor, yet no demesne.

Lord. But is not all customary land Copyhold land: why then make you a distinction betwene copy and cus-

Copie and
Customary
Land and
their diffe-
rence.

mary.
Sur. All copyhold land is commonly customary, but all customary is not copyhold: for in some places of this Realme, Tenants haue no copies at all of their lands or tenements, or any thing to shew for that they hold, but there is an entry made in the Court booke, and that is their euidence, and this especially of the auncient Duchy land of Cornewall, and other places.

Lord. These Tenants then may be called Tenants by Court roll, according to the custome of the Manno, but not Tenants by copy of Court roll.

Sur. It is true, but they are held onely a kind of con-
ventional Tenants, whome the custome of the Mannor
doth onely call to doe their seruices at the Court, as o-
ther customary Tenants doe.

Conventi-
onarie Te-
nants.

Lord. The word *conuenire*, whereof they be called conventional, doth, as I conceine, imposse as much as to call together, or conuent: but what say you to the rents of Assize? What meane you by Assize?

Sur. Truly, for my part I take it to signify, set in cer-
tainty: for these kind of rents are as in the beginning nei-
ther risen nor fallen, but doe continue alwaies one and
the same, and onely they and none else can be properly
called rents of Assize.

Rents of
Assize, why
so called.

Three
kinds of
Rents.

How euery
kind of rent
is to bee
paide.

Lord. I thinke you take it rightly: and are all rents of one kind?

Sur. No: there are properly three kinds, as rent service, rent seek, and rent charge.

Lord. These termes are strange to me, though I be Lord of many manors, and no doubt, I receive rents of every of these kinds, but how to distingnishi them, I cannot tell. And whether I haue beene abused by mine officers or no, I know not: for they neuer told me of these many kinds of rents, and therefore let me intreat you, for my satisfaction, a little to explaine their severall natures.

Sur. These severall rents are paid vpon severall considerations, and haue severall grounds and commencements, and are diuersly to be leuied and recovered if they bee denied. That which is called Rent service, is so called because it is knit to the tenure, and is as it were a seruice, whereby a man holdeth his Lands, or Tenements. As, where the Tenant holdeth his lands, by fealty and certayne rent, or by homage, fealty, and certayne rent, or by any other seruice and certayne rent, the rent is called rent service: for, as the seruice followeth a Tenure, so the rent followeth the seruice. And if this rent be behind, the Lord of Common right may enter and distraine for it. The rent charge is so called, because when a man graunteth any land, whether it bee in fee-simple, fee tail, for life, for yeares, or at will, and in his deed reserveth a rent, with clause of distress for non payment, by vertue of this clause, the land is charged with payment of the rent, by expresse words, and by force of it the Lord may distraine for his rent behind.

Rent charg
most com
mon at this
day.

Lord. This kind of rent is at this day, I thinke, most common: for few will graunt Land, but they will make such provision, that the land shall stand charged with the rent.

Sur. It is true, for at this day, there can be no rent seruice

uice raysed, because it cannot be without a tenure,
which cannot be at this day created.

Lord. What is that you call Rent seck?

Sur. It is a bare rent reserved vpon a graunt, wherein
there is no mention made of charging the land by dis-
trese, and it signifieth redditum siccum, a dry rent, for the
recovery whereof the land is not charged.

Rent Secke

Lord. Few such rents are now adayes, for a man had
neede to make all the prouision he can to secure his rent, and
yet he may be driven to try his uttermost meanes to recover
it. But you haue satisfied me also touching these rents: now
let me intreat you to shew somthing of other things incident
vnto a Mannor, by whiche the Lord receiveth profit o; pre-
rogative.

Sur. Profites may rise by infinite meanes and wayes
out of a Mannor to the Lord, but all Mannors yeeld not
profites or commodities alike neither in nature, or value.

Lord. I thinke indeede all Mannors are not alike profit-
able to the Lord, neither hath euery Mannor like meanes,
yet I desire to know for my experiance sake, what may
grow out of a Mannor, that I may the better looke into the
natures and qualities of such as are vnder my power and
commaund.

Profits of
Mannors
are infinite.
and in all
Mannors
different.

Sur. If you haue a Mannor or Mannors, there is (as I
said before) a Court Baron at the least incident thereunto
and to some a Leete, or Law-day, which is called the view
of franck pledge, by whiche Courts doe grow many, and
diuers perquisites and casualties, as fines of Land, Amerce-
aments, heriots, reliefs, waines, estraycs, forfeitures, escheats,
profites growing by pleas in Court, and such like.

Profits of
Court.

Lord. You may doe well to shew me, though briefly,
what euery of these former things doe properly import, for to
tell me the names, and not the natures of the things, is, as if
I should know there is a Sun, but whether he give light and
heat, to be ignorant. Therefore before you passe further in

any discourse shew me how fines of Land doe arise unto the Lord, and what amercements are, and the rest.

*Fines of
Land.*

Sur. Fines of Land are of sundry kinds, and yet properly and most especially they arise of Copyhold, or Customarie Lands and Tenements, which are in diuers Mannors of diuers kinds: For there are Customarie Lands, which are called Copyhold of Inheritance, and they are such as a man holdeth to him and his Heires, according to the custome of the Mannor, at the will of the Lord. When such a Tennant dieth, and the Heire commeth to be admitted (if the custome of the Mannor beare a Fine certaine) hee giueth but the accustomed Fine: If it be vncertaine and arbitrable, hee agreeth and compoundeth with the Lord, or Surveyor, or Steward, for the Fine. Some hold Customarie Land for liues, as for one, two, or three liues, whereof the Fine is alwayes at the Lords will, as is also the Fine for yeeres. There are also Fines for licences of Surrenders of Customarie Land, and for Alienation also of free-hold Land, and these are called Fines, which signifieth as much as a finall composition: And when the Fine which is the end of the contract is answered, all but the yeerely Rent during the terme agreed vpon is paide. These and such like summes of money raised at a Court Baron, are parcel of the *Perquisites* of the Court, as are all *Amercements*, which are summes of money imposed vpon the Tenants by the Steward, Surveyor by Oath and presentment of the Homage, for default of doing suite, or for other misdemeanors punishable by the same Court, infinite in number and qualitie.

*Fines why so
called.*

*Amerce-
ments.*

Lord. Whence taketh the word Amercement name?

Sur. Of being in the Lords mercie, to bee punished more or lesse, crumenally at the Lords pleasure and will.

It

It is no doubt, a borrowed word, as many other words vised in our Common lawes are: For hee that is Amerced, is said to bee *In Misericordia*, that is, in the mercie of some body.

Lord. These words may bee understande by vs, and by the maner of the vsing of things: But he that should seke the Etymon, among the Latines, of the Substantiuall Amerciamentum, and the Adiectiuall Amerciatus, might seke long, and be never the neare. But I perceiue, we must take it as our Fathers first framed it and left it, I understand what it meaneth in our common sense, and that sufficeth.

Sir. Other words, not a few, in like sort to be vnderstood, we find in vs amongst vs, which doubtlesse the Romanes never knew: And yet they that haue to doe with the things wherein they are vised, vnderstand the meaning, although their deriviations bee strange, as amongst others it is questionable, whence the name of a *Heriot* may be derived.

Lord. That would I be glad to learne: For I haue to doe sometimes with *Heriots*. But because I know not why they are so called, what they bee, how, where, when, by whom, and for what they shoulde be answered, I doe feare I am sometimes abused.

Sir. I may tell you as I haue heard, and of my selfe conjectured, whence the word commeth. But I haue no certaine Authoritie for it. It may be said, and most likely it is, that it should come of the word *Hervis*, a Lord and Master: and *Heriotus* belonging to the Lord. And it was in the beginning a thing for the Warres, as the best Horse a man that died had at the time of his death. And the Saxon word *Newges* had the same signification that the word *Heriotus* hath, and importeth a thing pertaining to the Warres, which was a Horse trapped, or a Speare, or Armour, or a Sword, or some such Mi-

Heriots.

Heriots
whence so
called.

litarie weapon, which was parcell of the Tenants seruice due to his Lord; and if such a Tenant had beeне slaine in the Warres in the companie of the Lord, hee had paide no Heriot. *Si quis in exercitu, sive in regno, sive extra, pugnans coram Domino, mortem oppeterit, ei condonatur & remittitur Heriotus.* Wherby it seemeth, that his seruice in the VVarres belonged vnto the Lord, and Death being the vttermost end of his seruice, hee had done as much as his seruice bound him to performe; and after his death, his horse and furniture came in place of the seruice due vnto the Lord, and thereof called a *Heriot*, being due vnto the Lord *De Iure* after his death, and the remission was of any further *Heriot* of his goods, then that which hee left behinde him at his death in the Field, which of right the Lord might seize, as it seemeth by these words, *Si quis in Cursu, sive morte repentina fuerit intestatus mortuus, Dominus tamen nullam rerum suarum partem, prater eam que iure debetur, Herioti nomine, sibi assunxit.* So that it appeareth, that at the death of every Tenant, there was due vnto the Lord of the Manor of right this *Heriotus*, a thing appertaining to the Lord.

Lord. It seemeth by the quality of the thing thus due vnto the Lord, that indeede the name comes as you say of heris as proper or belonging to the Lord: but howsoever, the things continue due and answerable to the Lord at this day: I thinke, Tenants are not bound to like attendance on their Lords as in times past, and therefore whether are not these heriots something altered in their kind, or do they continue as in the beginning?

Sur. Tenants are not freed of their seruice, nor *heriots* altered, but they are by their Tenures bound as at the beginning, to attend their Lords in the warres, but that

Of a man
slaine in
the Warres
in compa-
nie of his
Lord, leſt
his Horſe
and Armor
for Heriot.
39.H.7.c.15

the manner of the proceeding to set forth and to press
men to the warres, is not alike, and therefore the discon-
tinuance of the forme of the generall performance of
this kind of military seruice, hath bred a kind of confusion
of these petty and inferiour seruices betweene Lords and
Tenants, yet not taken away the right of their seruice.
Before the Conquest, heriots were paid according to e-
very mans ability, and so are they now, as the best horse,
Oxe, Cow, or such like, sometimes in money, and some-
times the best implement of the house of him that dyed.

Lord. A heriot is never paide, but after the death of a
Tenant.

Sir. Yes, in some places, if the Tenant surrender, or
will voluntarily depart from his customary Tenement
or lands, he shall pay to the Lord his best quicke good, in
the name of a heriot, and in some places a peece of mo-
ney, in the name of a farewell.

Lord. It falleth out in a Mannor of mine, that divers cu-
stomary Tenements heritable, are dismembred, and such
Tenements as in former times could yield unto the Lord a
good Horse, Oxe, or Cow, cannot now yield any quicke good
at all, because the Lands are sold from the Tenement, and I
lose my right: what remedy haue I?

Sir. You must take such a heriot, as the Tenant decea-
fed hath at his death.

Lord. But the Land which belongeth sometimes unto
the Tenement wherof he died seized, is seuered so, as there is
no intire parcell in any other mans Tenure, aboue one or
two acres: is there nothing due for that at the death of the
thiese Tenants?

Sir. No surely: for the Lands being lawfully surren-
dered, whereof the Lord cannot but alwaies take know-
ledge, (for it cannot be done without his consent,) he can
not pretend to haue wrong therein: yet this benefite re-
maineth

Tenants
are bound
to attend
their Lords,
by force of
their ser-
vice, to this
day.

In what
things He-
riots are
paide.

A farewell
paide in
money.

A small par-
cell of heri-
table land
draweth a
Heriot.

Whence a
Heriot may
be seized.

27. L. A. S. 24

Having A

composition
to raise
a new Cu-
stome, can-
not stand.

Many heri-
tors after the
death of
one.

maineth to you that are the present Lord: You may take the aduantage of any quick, or dead goods, which any of the Tenants haue at their deaths, that hold any of the parcell of the Land lately belonging to this heriotable ~~meſſeſt place~~. And if a Tenant haue but halfe an acre there-of, and haue elsewhere more land, within, or without the Mannor wherevpon hee keepeth, any kind of Cattell of whatsoeuer value, the best is yours, wherefoeuer you can lawfully seize it after his death, yea, although it bee vpon his free-hold, as some say.

Lord. I like that well: yet I promise you, it is more then I thought I might haue done, and I haue lost much by mine ignorance. But may I not compound with all such Tenants as haue these parcels, to give for every acre so much money, *nomine heriot:* and may not that agreement bind them and their heires for ever, being recorded in the Court roll?

Sur. No Sir: you cannot make any new custome, although all the Tennants consent willingly thereto: yet if such a composition were made and continued, without any contradiction of posterities, time might create a new custome, by prescription, and be good.

Lord. What if a Tenant haue severall heriotable Tenements, and dye: whether shall he pay one or more heriots?

Sur. He shall pay as many as he hath Tenements heriotable.

Lord. But there comes a thing into my mind: I pray thee, if thou canſt, ſolve me. Whether is the heriot paid in respect of him that is dead, or in respect of him that is to poffeſſe the land after him?

Sur. In respect of him that is dead, plainly: for it is not ſaid, It ſhall be the best good of him that ſhall inherite, but of him that dyed, and whatſoever Legacies he gaue by his Testament, the Lord will haue his due, howſoever they be anſwering, and may ſeize it though it bee ſold.

Lord

Lord. It stande indeide by reason. But is there but one sort of heriotse.

Sir. There are two sorts, the one called *heriot custome*, the other *heriot service*. It is held of some, that Tenants in fee-simple only pay *heriot service*, and not a Tenant for life, and this kind of heriot is commonly expressed in the graunge or deede, and the Land is charged with the payment, and therefore the Lord may distraine, or may leize it, and if the Tenant bring his action for the taking, the Lord may auow as for other seruices. *heriot custome* is of another nature, for it is held to be *de gratia*, a mere beneuolence, given to the Lord by his Tenant, at the time of his death: and now hath custome confirmed it as a debt due, recoverable by forces of iustice. Some say, it was first given by Villaines and Bondmen.

Lord. That needed not: for if the Villaine and all that he had, were the Lords of common right, as I haue heard it was, what needed the Lord to take a beneuolence, when he might hane taken all at his pleasure?

Sir. You say truly, yet it might be giuen as a continuall future gratification, vpon their infranchisements and manumission, to be yeelded at the death of every such Tenant. Diuers customes of diuers places make diuers kinds of yeelding *heriots*.

Lord. I know that well: for custome, as is said, is above the law. Now I pray you, say somthing touching Reliefs: soz I take, that was the next branch of your division of the p^to: the rising of a manor: but first, whence comes the word?

Sir. *Relief* in French, is as much as *relevatio* in Latin, which is derived of *relevo* the verbe, which is to raise and set vp againe, and therfore M. Bratton saith, *Relentia hereditas, que fuit iacent per mortem antecessoris*. Whereby it appeareth, that the heire payeth this relief, as a consideration and recompence vnto the Lord, to be rai-

Two sorts
of Heriots.

Heriot Cu-
stome.

Bratton.

Diuers pla-
ces haue
different
Customes.

Relief.

The Heire
paidth re-
lief.

sed vnto the possessions of his deceased ancestor: for this is al the benefite that the Lord hath after the death of his former Tenant, having neither the custody of the land, or body of the heire, as in some cases the Lord hath of both.

The difference betwene a Heriot and relief.

Lord. The difference then, as I gather, betwene an heriot and relief, is, that the heriot is paid in the name of the Tenant deceased, and the relief in respect of the heire that is to become Tenant after the death of his ancestor to his possessions: but whether of these is the most ancient?

Heriot and relief supposed sometimes one.

Sur. Surely the *heriot*: for that was giuen in the Saxons time, as is produced before, and that especially of things pertaining to warre, but the *relief* came since by the Normans. And where these matters of warre are continued and paid in kind, it is vnder the name of *heriot*, but where the Normans made composition, and tooke money for all, it is called *relief*: so that it seemeth, that both these in the beginning were one, but now become two distinct things, both in name and nature.

How a relief is paid

Lord. You haue before told me how the *heriot* is: now tell me how the *relief* is paid.

Sur. The *Relief* is payd after the death, change, or alienation of every freeholder, or of a Tenant in auncient *demesne*. And the *relief* in some places is the whole yeeres rent, and in some places halfe a yeeres rent, as the custome of the place permitteth: and if the *Relief* be not paide, the Lord may distraine of common right. And if a free-holder hold of the Lord by Knights seruice, and dye, his heire of full age, the Lord shall haue of the heire, for euery Knights fee, a hundred shillings for *relief*, and if the land be more or leise, the *relief* is to be apportioned according to that rate.

Lord. What quantity of Land is a Knight's fee?

SW.

Sir. There is some difference of the quantity of a Knights fee, as the custome of the places doe differ in measure of land, so in the Duchy of Lancaster, a Knights fee containeth foure hydes of land, every hide foure plough lands, called in latine, *Carucata terra*, and that is, *quantum aratum aere potest in nonali tempore*; and that is (as I take it) which is in the North parts called an Oxengange. And euery plough land or carue, is foure yard land, which in latine is called *quatrona terra* every yard land thirty acres. So that euery *Carue* or plough land containeth a hundredth and twenty acres; euery hyde of land 180. acres, and every Knights fee 1920. acres. But after some computation, a Knights fee containeth five hydes of land, every hyde foure yard land, euery yard land twenty foure acres, after the common account.

Lord. There is then great difference betwene a Knights fee of the Duchy of Lancaster, and the common account of England, as it appeareth. But seeing wee haue gone so farre how many Knights fees make a Barony?

Sir. Two Knights fees make one *Cantred*, which after the first computation, amounteth to 3840. acres. Six Cantreds $\frac{1}{6}$ maketh a Barony, 25600. acres, whose relief is 100. Marks. One Barony $\frac{1}{6}$ make an Earldome 38400 acres whose relief is 100. pound.

Lord. Doe these proportions of Land alwayes hold, with their titles of honour?

Sir. Surely no: for we may obserue, they are increased, and diminished, as men are in disposition to spend, or save, to adde to, or to dismember their patrimonies. But these were the proportions at the first institution of these particular allotments, and the denominations doe hold, though the quantities of the land be more or less: the lesser parts we see, as yard-lands, plow-lands, &c. differ-

The quanti-
tive of land
of a Knights
Fee.

Hida terra.
Carucata
terra.

Quatrona,
five virgata
terra.

The quanti-
tive of land
of a Barony
Mag. Cart.
Cap. 3.
An Earle-
dome.

for, as the custome of euery Country drawne by time, doth at this day hold and allow them: but that is no prejudice to the first purpose, which allorted a certainte to euery part, and a certaine relief to be paid, according to the first institution of euery part, and the payment followeth the title, not the quantity.

Lord. You have said enough of reliefs: now speake of the rest: and as I remember, the next after reliefs was waynes, what are they?

*Waynes, or
wayued
goods.*

Sur. Waynes, or wayued goods, are goods or chattels of what nature soever, stolne, and in the fugacie of the thiefe, he leaues them behind him for want of convenient carriage, or conueyance, being pursued: and wherefore such goods are, they are the Lords of that Mannor or liberty wherein they are found, if the prerogative of the Mannor will beare it: for every Mannor will not carry them, but such as haue it by graunt from the King.

Lord. Whence commeth the word Waifer?

*Waifer,
whence
derived.*

Sur. The goods thus stolne and left behind the thiefe, are called in Latine *Bona*, or *caralia manuata*: a word, which our common lawyers onely vse, and the signification is gathered by the vse: for I thinke, none that is a stranger to the termes of our common lawes, be he never so well scene in tonges, can say this word signifies the thing for which it is now taken.

Lord. Well then, as long as we understand the meaning, by the vse, it sufficeth, without further examination, a disputation about the word it selfe. But how is it to be presumed stolne goods: for it may be as well casually lost, as feloniously stolne.

*How to
prove way-
ued goods.*

Sur. Therefore when any such thing is found within a Mannor, the *Bayliffe*, or other the Lords officer, seisteth it to the Lords vse, as a thing wherin at the instant no man claimeth property. And if it bee not evident by the pur-

su-

suite of the theefe, that it was stoln it is proclaimed & presented the next Court, and found by the Iury of what nature it is, and that the property is in the Lord: and because these & *Estrases* are spoken of at large at every Court Baron by the Steward, no man can pretend ignorance of them, therefore I will omit to speake any more of them. But, a litle of *forfeitures*, though no doubt, you being lord of many Mannors, know right wel what they are, and how they grow, and the Tenants no doubt, could wish you and other Lords knew lesse then generally you doe, how and when they happen.

Forfeitures

Lord. Tush, if there were no penalties, men would commit offences without feare, and if there were no forfeitures for abuses done against Lords of Mannors, Tenants would too boldly make wastes and spoyls of the Lords inheritance, without regard of law, loue, or humanity: and therefore let me heare your opinion what forfeitures are, and for what causes, Lords of carelesse Tenants may take aduantage of forfeitures, who may omit and forgive as they see cause.

*Forfeitures
fit to curbe
offenders.*

*Long A
or abus
the foun
negligent
waste or grie
stigmati*

Sir. I know many Lords too forward in taking aduantage of forfeitures vpon small occasions, and if manifest cause be giuen them, they shew little compassion: And if I knew you were a man desirous to take aduantage in this kind, I would be sparing to discouer any thing tending to that liberty: for, I well conceiuie, that the law did not so much prouide, to enrich the Lords of Mannors, by their Tenants forfeitures, as to keepe Tenants in good order, and to restraine them with feare of lossing their Tenements from rash and wilfull abuses. And therefore in all forfeitures, there are diuers circumstances to be considered; as whether the Tenant did it ignorantly, negligently, or as constrained through necessitie. In these cases, whatsoever law in extreme iustice

*The chief
end of For-
feitures.
and honest
conscience*

alloweth, a good conscience forbiddeth to take aduantage, though the second bee worthy to suffer some smart: for negligence cannot be excused: for nature it selfe teacheth beasts, and they in their manner of liuing, vse a kind of prouidence. But if the forfayture be committed wilfully or malitiously, it deserueth in the first, little; and in the second lesse pitty. Yet where a good mind is, there ledgeth no reuenge, or covetous desire. And where neither of these are, there all extremities die. Yet I wish, that in these last two cases, the offendours should be punished more *in terrorem*, for examples sake, then to satisfie the greedy desire of a covetous Land-Lord, who (though he may say, he doth no more then the law warranteth) doth yet straine a poynct of Christian charity, by which men are bound to measure all mens cases by a true consideration of their owne. So shall he that is Lord of much, and of many Mannors, looking into the law of the great Lord, of whom he hath receiuied, and holdeth whatsoeuer he hath, find, that himselfe hath committed a forfayture of all, if his high Lord should take aduantage of all the trespasses and wrongs hee hath done against him.

Lord. You are out of the matter, whereof your talke concerned. I desire you not to tell me how farre I may take a forfayture by a godly conscience, but what a forfayture is: and referre the taking and leaving the aduantage, vnto such as haue the power to punish or forgive.

Sir. So must I when I haue spoken all I can. But I hold it not the part of an honest mind in a Surveyor to be an instigator of the Lords extremities towards his Tenants: though I confesse he ought to doe his vttermost endeuout to aduaunce the Lords benefit in all things fit and expedient, yet ought his counsaile and aduise to tend no further, then may maintaine obediencce
in

A good
meane ro
make Land-
lords spa-
ring to take
Forfayture.

The part of
a good Sur-
veyor.

in the Tenants towards their Lords, and loue and fauour
of the Lords towards their Tenants, which being on all
sides vnfayned, neither of them shall haue iust cause to
complaines of, or to vsurp to the other, for it is not the
actor himselfe of any extremitie, that is onely to bee re-
prooued, but the abetter thereunto: and if I wist that any
Lord, who shall require the vse of my poore trauailes,
would expect more at my hands, then the performance
of my duty with a good conscience, I had rather leauue
then take the reward for such a trauaile. Neither doe I
find that you, howsoever you reason of this poynt, will
commit any act toward any Tenant you haue, that may
not be iustified by the law of loue: therefore I leave fur-
ther to perswade or dissuade you herein. And as tou-
ching the matter and manner of forfaitures, I pray you
understand, that they be of diuers kinds, and diuers waies
committed: for in some Mannors it is lawfull to doe that
which in others incurres a *forfeiture*. Forcitures grow
either by breach of a custome, as in Customary or copy-
hold land, or of a condition or promise in a Lease or
graunt, of which last, the Tenant cannot say he did not
thinke it was so, because the meaning is expressed in his
deede, but of the former, silly men may be in some sort
ignorant, if they haue not a Custome roll among them
to leade them. But for the most part, causes of forfaitures
are apparent, and knowne of all within a Mannor, as now
payment of their rent, not doing his service, felling of trees
upon his customary land, where custome inhibits it, letting
his customary Tenement to fall downe, alienating his copy-
hold land without the Lords licence, committing waste, and
such like, which as I said before, are not alike in all places,
and therefore it is most conuenient that the customes of
every

Forfaitures
diuers in
diuers Ma-
nors.

A custome
Role nec-
essarie.

Causes of
Forfaitures.

euery Mannor were knowne, and the Tenants made acquainted with them, that when question groweth for any cause offorsayture, they may not saythey knew it not for Lords commonly know better how to take aduan- tages of such casualties , then the Tenants know how to auoyd them.

Lord. You speak that is reason, I confess. But may a
Lord enter immediatly vpon a foſtaire?

Sir. The forfeiture must be first presented to the ho-
mage at the next Court holden for the Mannor, & there
found, and recorded, and then hath the Lord power to
shew justice or mercy. It were inconuenient, that the
Lord should bee iudge in his owne cause, and his present
caruer of things doubtfull. And therefore hath the lawe
ordained, in all controueries, euen in these inferiour
Courts, a iust manner of tryall by iury.

Lord. May none, but copy hold Tenants, forfeit their
Lands.

Sir. I shewed you before, that Tenants by deede indented for life or yeares, may forfaine their estates, but that is by couenant or condition expressed in the deede, according to the prescript agreement made, and interchan-geably confirmed betwenee the Lord and his Tenant.

Lord. What is an escheat? as I remember, that fol-
loweth in your formerly recited perquisites of Court.

Sur. Escheat is, where a freeholder of a Mannor committeth felony, the Lord, of whom his land is holden, shall haue his land, and that kind offorfaiture is called *escheat*.

Lord. The Lord may then enter immediately into this Land, because the lawe having tried the enemy, it calleth the Land upon the Lord.

Sir. The King hath it for a yare and a day, and then

commeth it vnto the Lord, and his heires for ever.

Lord. Is this all the rauses of Escheats?

Ser. Escheat may also be, where a freeholder, Tenant in auncient demaine, and a customary Tenant of inheritance, dieth without heire generall or speciall, and none of the blood comming to claime the same, it falleth vnto the Lord, by way of escheat.

Lord. This then is immediatly the Recke, and the King hath no part, or time therin, and without any further ceremony, he may enter and bereft of it at his pleasure.

Ser. It must be also first found, and presented by the homage of the Mannor whereof it is holden: and after proclamation made to give notice vnto the world, that if any man come and iustly claime it, he shall be received: the homage then finding it cleare, doth intitle the Lord thereof, as a thing escheated for want of an heire.

Lord. You speake of an heire generall or speciall, what difference is there?

Ser. The heire generall, is of the body of the deceased, and the speciall, of his bloud or kinne.

Lord. Who haue you satisfied me thus farre: now what say you to the pleas of Court? for I remember, it is part of that you before speake of.

Ser. It is true: they are parcell of the perquisites of Court.

Lord. Wherof commeth the said Perquisites?

Ser. Of the word perquisito, (as I take it) which signifieth to search for, or to enquire diligently, as also to get or obtaine.

Lord. It may well be so: for the word is before reported, to have the name of Perquisito, by the Lawe of England; and was at all times alike used, therefore may be called Perquisites, things gotten by diligent enquiry. And to that end so many things are given by the Steward to the Jury of a Court Baron, and

Leete

Escheat for
want of
Heires.

How Es-
cheates are
found.

Perquisites
of Court.

Perquisire,
why so cal-
led.

Leete in charge, that they shal diligentlie enquire of them, find them, and present them : and per scandale one of sorte, or the leuer all things, wherewith they are charged, are found by the Jury. And somethings happen at one Court, that hap- pen not againe in twenty Courts after: and therefore are as- sociate Casuallies, as happening now and then, as I can reherse, making little experiance therew.
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Sur. Yes: it seemes you haue the better part of ex- perience, namely where receiving the profits that any way happen within the Mannor: some know the same, but as appertaining to others, not to themselves. Of this na- ture also are the profits that arise by *Plas of Court*, which because they are dillers, and do diuerly arise, there needs no long relation of them.

Lord. Are there no other Perquisites of Court, but such as you haue already remembred, and other profits accyng to a Lord of a Mannor?

Sur. There be many other profits that may grow al- so vnto a Lord of a Mannor: yet they not certaine, nor in all Mannors alike.

Lord. Then are they also casuall: and may be called all Perquisites of Courts.

Perquisites,
but not
Perquisites
of Courts.

Treasure
troue.

Sur. Casuall: but not Perquisites of Court, yet some of them may be called Perquisites in some sense, because they be gotten by search and inquirie, as thole that are hidden in the earth: Treasures, which, as long as they lie ym- knowne, benefit not the Lord: but when they are found they are called Treasure troue, as Silver, Gold, Plate, Jewels, and such like beforetime hidden, which appertaine vnto the Lord. So doth Minerall of Lead, Tinne, Copper, and such like: and quarres of stone, freestone, flintstone, whiting-stone, sand-hold such: which may long lie vndis- covered: As also all sorts of Lime, Sand, ke, and such like: for which, search being made, are haply found: yet be- cause

cause the benefite is vncertaine vpon the present, and what continuance & vent it may afford, they may passe vnder the name of *Perquisites*, and *Casualties*: as may also *Fishing* and *Fowling*, vniuersall the Lord can bring the same to be of a certaine continuing rent: they are they no more casuall during the graunt, but are in nature of other rents certaine. And of these kinds, are infinite other things, incident to some Mannors, but not to all. As the profits of *Faires*, and *Markest*, *Woodales*, *Sales*, of *Leathfles*, and *Turberie*, *garvage*, and such like. All which are in themselves vncertaine, as touching the value, vniuersall they be turned into a certaine.

Lord. That I take is the farrall man for the Lord, so he that committeth the dispensation of these vncertaine things to Bailliffs, vniuersall they bee very honest indeed, may make their Bailliffs rich, and raise little profit unto them selfes, as I am taught by experiance, especially dwelling a farrall from my Mannors.

Sir. Yet the Lord must bee warie how he letts these casuall things, before he know what they are, how they rise, and what profitte they may yeld, how they will continue, and to whom, and vpon what condicions he grants them. Otherwise he may be overtaken and much abuseid for a Secret once let, cannot be reuoked at pleasure.

Lord. You may indeue call these things *Secrets*, because their valiidities are not substaiently apprehended or found, being in themselves *souerties*, wch by sometyme come short, sometimes excede the hope wch men have of the valiuite of them.

Sir. Therefore I say, in beholding the Lord, to whom such casualties shall befall, first to make diligent triall by men, both of trust and experiance, what may be made of any such thing, by chyficall meane, whch is the warie dealing of some, that haue the guiding of

How casu-
alties may
become
certaine.

Policies in
Baillies,
and Ouer-
seers.

things of this casuall nature , that they will obserue the conditions and qualities , circumstances and value to themselues , and disable the thing , and extenuate the value , to the Lord , to bring him out of conceite with the goodnesse and validitie thereof , to the end they may obtaine a graunt , as hath fallen out in many things , and to many men , whose future profit of the things thus archiued , haue approoued the Lord to be much abused . This I knowe by experience ; in the graunt of a *Cole-mine* , which as long as it was in the Lords hands , it yeelded a small yearly reasnew , vntill he that managed the same , got a graunt of the Lord , and then the profit was twise quadrupled by the Lefices owne confession . The like of a *Salmes fylling* , wherin the Lord lost two parts in three , and yet at the time of the letting , made to believe , it was hardly worth the Rent : Yet would I wish the Lord of Mannors in these casuall things , would be contented , after true triall made , to graunt the same for a reasonable rent , though the lesse game : for the traualle and hazard in these vncertayne things deserve some fauour : for in receiving a rent , is little toile , and as little danger . But in these kinds of things , is vncertaintie of profit , and allured care and labour .

Lord . I shewes by your discours , that you thinke very
different betwix the Lord and Tenant : I mislike it not
to you shew firs to the Lord that emploeth you , as right
and reasonablie .

Sir . Epicr profision Sir , hath his defects : if they
be voluntarie or wilfull , they are vtterly intollerable : for
they be either for affection or lucre : negligent defects
cannot bee cauised : for they proceede of the want of
herte , and carefull indiscricion . But for my part , I will in-
dow

All profi-
fions have
defects .

deuour to discharge my dutie truly, and will wade in the busynesse, both mine eyes opened : but when I consider the Lord and the Tenants, I will shut them both.

Lord. Will you so : Is that all the care you will haue of the Lords benefit, that payeth you for your travell ? And shall the Tenant be as well respected as he ? I thinke you will hardly proue a fit Surveyor for me.

Sir. If you require otherthen an vpright course betwene your Tenants and you, I reverence your person, but desire not your service : For, know you this, I pray you, that as the land and the profits of it is yours, & your revenues grow by the rents, labour, and seruice of your Tenants, your Tenants haue as good interest in their Tenements for their rent and doing their seruice, as you (vnder your correction) haue in the Manoir, according to the quality of the Tenures : and that being fauored to them, and a good conscience to me, I shall doe what you will require.

Lord. It is as much as I beliefe: for that whiche I cruse of you, is but to obserue and report every particular thing, within the compasse of your Survey, wherby I may apprehaue truly the full estate of my Manoir as heretofore, and what communities doe rile, or may by any meanes lawfully be rapt in the same.

Sir. If a painter should draw your picture, Sir, and you having a blemish in your face, or defect in your limmes, would you think he dealt truly with you, if he omitted the blemish, and made your lineaments perfect and straight, being deformed and crooked ?

Lord. I know your meaning: I like no such flattery, neither would I be shewd make a straight leg crooked, but true consistancy in all parts.

Sir. So will I as neere as I can: for neither in quantity, quality, nor value, will I, for I ought not be partiall:

to you? A
ad Hunc
et hunc
vobis
hunc hoc. I
Jacob T

What a
Lord may
justly chal-
enge of his
Surveyor.

the self
to speak
certain

A Surveyor
should be
equall be-
tweene
Lord and
Tenant.

for these are the things wherein iniury may be done to the Tenants: neither will I, for I ought not conceal or counterfeit their estates, termes of yeares, liues, covenants or conditions, rents, seruices, forfaytures or offences, neither whatsoever profits, emoluments, or commodities that may any waies arise or grow vnto the Lord. For a partiall eye seduceth the heart, and the heart, the hand and the hand the pen, which cannot but witnessse against a corrupt entry of thele collections, many yeares after the Surveyor is in his grave.

Lord. Thou speakest as an honest man, and I intelle the not, if the lordes and the lordis agree. And seeing we are gretone thus farre, I pray thee make an end of thy discourses, and tell me what else appertaineth to a Surveyor. Sir. I haue already declared the most. But Manors much differ in their profites. For a Mnar of small quantity of Land, and few Tenants, may be more beneficiall to the Lord, then a farre greater.

*Q. 12. W.
Commodi-
ties made
in the earth.*

Sir. Divers Lordships yeld extraordinary commodities, some vnder the earth, some of the earth: some aboue the earth: as Tinne, lead, copper, cole, stones, millstones, and such like, found vnder the earth, which every Maner hath not.

Lord. But there are chargeable commodities to get.

Sir. So is the Lord of the Mnar at no cost in planting, plowing, setting, or sowing them.

*The wise-
dom of
Nature.*

Lord. That is true, but commonly the Land is barren where these things are found. And therefore it is a great work of diuine prudence, to yeld such a commodity from thout the barrennes soyle, to supply the want therof in places more fertile, of other things most behouefull for the sustenance of man. And yet in many of these barren places, growing the dragonetum, toome in the sande, as the god-son

with salt: A handfull of corne shall be sowne vpon the toppe
of the Mountaine, and the fruit thereof shall shake like the trees
of Lebanon.

Psal.70.16.

Sir. Where diligence is and the feare of God, there
no doubt, God blesseth the labours of men, and wa-
ters even the highest mountaines from his chambers. For
when Israel turned to God from their Idolatrie, hee pro-
mised by Ezechiel, that their desolate places, and hight
mountaines, should be tilled and sowne. But he maketh a
fruitfull land barren, for the sinnes of them that dwell there-
in. So das whether God send his blessings ynder the
earth vpon the Mountaines or in the Vallies, whether in
graft for Cattie, in herbs for the use of men, whether
in Wheate, Oyle, or Vines: he truly intitleth none vnto
them, but such as feare to offend him, and shew thankful-
nesse.

Psal 104.13.
Ezech. 36.9.
Psal.109.3.4

Lord. Though these ~~more~~ ^{things} disagre from our present
matter in hand somewhat; yet it is good, that both Lords
and Tenants should know and acknowledge indeede, from
whom all these good things doe procede. For although they
come, some from under the earth, some of the earth, and some
above the earth, they be not yet the gifts of the earth, but of
God, that hath provided the earth to bring them forth to our
use. But what meane you by the things of the earth? come
righte upon the earth?

Lords and
Tenants
must ac-
knowledge
all to come
from God.

Sir. Yes, I confess it: but some things are more per-
fected of themselves then other. But such as by an extra-
ordinary working of mans art, are made of the earth, I
meanings of the earth, and they also rest to the bene-
fice of the world of that Manner, where such earth is
found as the northie herke of all Europe. Copy as a fauourer
vialle, or other such is made, together also with Fullers
earth, Briske, Lime, &c. Potters clay, which are not common-
ealde. Is there any other thing materiall, incident to
a Spanner?

Sir.

know self
, how
concre-
mater

Things
made of
the earth.

Ser. Yea, and amongst all the rest of the priuiledges
which the Lords of Mannors haue to raise their further
benefites by, are two not yet mentioned, wherein if they
be not very precise and circumspect how they bestow
them, and in what sort they dispose of them, there will
follow a scarcefull account, when the great Lord of all
Lords shall take facacy of the things done by the Lords
of the earth.

Lord. What are these things, I pray you, that you make such scruple to utter them?

Say. Things of themselves lawfull by the lawes of the Land, where they be judiciously and carefully handled, as they are by the lawes intended, and by the chief disposers meant: namely, the mariages of *Wards*, and disposition of their lands in their minorities, and the presentations of benefices in the gifts of priuate men.

Lord. So the first, I have not yet occasion to make public
hath as what they are, but the second, I have had some
power to heare it, wherein I was not so remiss, as that I
professeth such as were not fit for the function, which I thinke
is your meaning: and therefore let that passe a while, and
leave me what I heare is, and how he and his land is to be
dispos'd by the law, that I may learne it against the time
when I shall be to dispose both the villain and his land.

Ser. The word Ward is as much as Guard, which signifieth tuition or defence, and he that is in ward, is under some mans government and keeping: and the word hath a palliue signification, as it is vied in our common speech, and yet the same word is also vied in the acte [sic] General they that watch or assent for the defensio[n] of any are called the Ward or Guard of that person or thing they doe protec[n]t. But the Wards whome we are to speake of, are the sonnes or daughtours, heires so for

Wards.

Presentation.

The word
Word,
whence
taken.

person, that held his land either of the King in chiefe, or of some inferior person by Knights seruice: whose heire male being vnder the age of 21. yeres, and the female within the age of 14 yeres, the Lord shall haue the Ward, Guard, or custody of the body and of the lands so holden of him, to his owne vse, vntill they come to their ages, without making account to the heire when he or shee comes to age, as law bookees will tell you.

Wards
what they
are.

Lord. Then me thinks, the word as it is commonly vsed, is impoper, namely to call such an heire a Ward: it is more proper to say, he is in ward, and not a Ward.

Sur. I take it as you doe.

Lord. But what is the reason that the Lord shalld haue the land to his owne vse: why rather doe not the profites re-
deame to the vse of the heire in his minority.

Sur. This kind of wardenhip had some reason for it in the beginning. For you must understand, that he whose sonne or daughter is to be thus guarded, and his land to be disposed by the lord, was in his life time bound by the Tenure of his land, to doe manly and a daull seruice in person in the time of warre: or to keepe a Castle, with some kind of warlike weapon, in the time of warre and peace. And these kinds of capitall seruices were called either *Tenures in capite*, as holden of the King, who is the chiefe, Escuage vncertaine, grand Seicantic, or some other like seruice, and was called *seruitium militare*, seruice of a Souldier, now called Knights seruice, for the title of Knighthood came first by military seruice, and *miles* signifying a Souldier, signifieth also a Knight, though every Knight now be not a Souldier by profession, yet every approoued Souldier is a Knight by imputation. For hee that holdeth by these seruices, though he be not a Knight yet the seruice is called Knights seruice. And thise serui-

What Te-
mme drawne
Wardship.

ces were not to be discontinued, for to that end, were the lands first given by the King and other inferior Lords of Mannors, that they might haue the continuall seruice of their Tenants. And therefore wheresoeuer the Tenant of such a Tenure died, having none to supply the place of like manly seruice, the heire being vnder age, and not of power, the Lord was, and is supposed to be bound for the defence of the Realme, to perforne the seruice by a person, for whome he must answere in the heires minority. And because the charge was in former times great and dangerous, and the land given onely for that cause, the Lord was to keepe the houre, and to keepe him trayned vp, and to be made fit for the same seruice: and for his maintainance and supply of the seruice, to haue the vs and profit of his Land, vntill he became able to perforne the seruice himselfe in person, and wherein I hold the heire hath no wrong in law nor conscience.

The cause.

Lord. I thinke this to haue beene with great reasonablie, but haue not since thought reasonable, the labours would not haue pounched in that easie as they haue done: as it appereth by your relation.

Statutes
for the con-
firmation of
Wardships.

Sur. Many Statutes indeede haue beeene made touching Wards, Mag. c. 24.7. &c. 28. Marl. cap. 6.7.8. &c. Westm. I. Westm. 2. and many Statutes since, to which I referre you, too long here to relate.

Lord. What needed you then to gine such a strict command touching Wards?

Sur. Truly, to put Lords and others, into whose hands they often happen, in mind to be carefull of their education and disposing: because many inconueniences follow, if their Guardians be not faithfull, and prouident for their well bestowing.

Lord. How, in beholding?

Sur.

Sir. In mariage. For the Lords haue the mariage
both of the Male and Female, if they bee vunmaried at
the time of their ancesters decease. And it falleth out
many times, that partly for their land, and partly for
their mariage, they are bought and sold, and maried
yong, and sometimes to such as they fancie not, and
when they come to riper judgement, they bewray their
dislikes too late, and there growes disparagements.
And sometimes their education is so slenderly regardeed,
that when they come to gouerne themselues, and their
families, their estates and patrimonies, they discouer
what their education was good or euill.

Marriage of
Wards

Lord. There be thre especiall ends whereto the god
education of such an infant shold tend, as I suppose. The
first and principall, is feare of God, in true Religion: the se-
cond is, the benefit that the Common wealth shall reape, by
his vertues surveillance: the third and last, the abilities by
which he may gouerne his familie, and manage his patri-
monie, for his best maintenance. But what can you now
say, touching the second of these chiefe points? Namely, the
presenting of Clares into Ecclesiastical livings, and how
it committeth to pale, that our Layman (as he is calld) may
nominate and present a Clarke, to a Patronage, Vicarage
or Prebendall Chappell, whose function is high, and diuine.

Three ends
where unto
the good
education
of Wards
tendeth.

Sir. The reason why these Lay-lords of Mannors do
present as aforesaid, is in right of the Parsonage, Vicarage,
or free Chappell, belonging to their Mannors, and where
the Lord of the Manner is verie and vndoubted Patron
of such an Ecclesiastical gift, he may make his choice of
the Parson, or Vicar. Alwaies provided, by diuine ordi-
nance & humane institutions: he must be idoneous, fit for
the place.

Why Lords
of Manners
doe present
Clares.

Lord. But is eth it in the Lords power, onely to nominate
and present such a one? and is it then sufficient if he
doe the partie fit?

Sur. No, he must be approued fit by his *Ordinarii*, the Bishop of the Diocese, by whom he must bee insituted and inducted.

Lord. Then is the Lord in his nomination, and presentation, cleeres of offence to the Church, if the partie present after insufficent.

Sur. He is in somelort. But hee is bound in conscience to bee very circumspect in his choice. For if any carnall consideration moued him to the partie, he standeth not cleare before God, into whose steade hee intrudeth himselfe after a sort in this case. But if hee doe it in a godly zeale of the good of Gods Church, hee will ay me onely to the vertues of the man, and not to any humane respect. For, although the party haue an higher probation, namely, by the *Bishop*, that is specially of his *Literature*, which is easilly found by examination: But his qualities, conditions, and conuerstation, by time and experience; and that must the presentor haue good triall of, before he either name him, or present him. For hee as it were the hand, that reacheth him forth to bee received of the Church. A matter farre higher and of greater moment, then euer man that couets *aduasions* for such presentations sake, can reach vnto by their rashnes. For if they weyd the matter in the ballance of divine judgement, they shoulde find their understandings faire too light to performe it as they ought. For if hee be vnproufitable, or scandalous to the Church, as too many doe, he that presented him so vnaudiscedly, will fearefully answere it in time to come.

Lord. Now surely, although peraduenture some may think these things digresse much from matters of Survey, yet I hold thy words within the compasse of it, for these are necessary obseruations and admonitions to be that are

No carnall
considera-
tion must
move a
Lord to
present a
Clarke.

Whar a Pa-
tronre must
confider in
his choice.

lands of Mannors, and to whose lot it often falleth to performe this wolke. And I hold thou hast in this, none no more than an honest Surveyor shoulde, in aduising men, to be wairis how they dispose of this part of their patrimonie.

Sir. Sir, I hold it neither part of their Patrimonie, nor part of a Manner, neither a thing vnto them of any advantage to their person, the greatest benefite is, that he may vpon the vacation, appoint a worthy man to teach himselfe, and his tenants, which as I conceiuie is, a sweet gain : for by the godly Minister, he and they may game heavenly riches.

Lord. As thou saest, it is a great benefite, nay, it is a blyssfull blessing to haue a godly teacher of the people : and it is the bleching of God on him, that hauing a godly care, mindeth, nameth and presenteth such a one : and les to haue, that negligencie or willfully doth the contrarie. But what doe you to improvements : for they also are within the compasse of a Manner, where the Lord takes the tiches, and nominates a Minister, Vicar, or other hirseling, and he (offentiuies) binning the turne, as is commonly decerned in too many places in this realme.

Sir. I know too many such, the more to bee lamented, and that in Mannors of great value, and parishes verie populous : whose continued ignorance of diuine dutie, bewrayeth the originall to proceede, first from that *Satani*call head, to foster monasticall idlenesse. And as a matter too high for me, to aime at the meanes of reformation, I reverently leauie to their discretions, who haue authoritie to reprove it, and power to reforme it.

Lord. You say well, what else is there to be considered, touching the things incident to a Manner ?

Sir. Nothing Sir, that I now remember : but a matter almost out of yse, a tenure called *Villanage* : that is, where the Tenants of a Manner were *Bond-men*, and *Bond-women*.

A Parso-
nage or Vi-
carage no
part of a
Manner.

Impropria-
tions.

Bondmen, the men were called *Villaine*, and the women *Villaines*. And so *Villain* cometh of *Villain*.

Lord. But what title? If *Villaine* is an opprobrious name, how hence it take beginning.

Sir. As the word is now vised and taken, it is indeed a word of great dishonour: but the time hath beeze the word hath beene of no such disgrace. And it is now by as the thing is meant by the speaker, and taken by him to whom it is spoken: although some say, that a *villaine* is *quasi seruus*: which name indeed is of a more tolerable construction in our common sense, then is now the name of *villaine*, which is indeede no more then *villanus*, a Rustique or Countriman, which wordis in fonic contrarie to *Cives*, or *Oppidans*, but that since the Conquest by the *Normans*, these *villaines* became bondmen: for where the Conquerour came and preualid by force, there the Country people became *Cavies* and *Slaves*. But Kent, which was not subdued by the sword, but by composition, received their freedom still, as did also many *Cities*.

Lord. Why then should the name *villaine* be so abhorr, if it beitle but a Countrey-mare for there are many chaffull wealthe of countrey men?

Sir. Because they endured under that name, many kinnes of seruitude and flattish labours, under their Lordes as did the *Waldens* in Engle, and whatsoever they possessed was not theirs but the Lords.

Lord. I haue not the intentment to take exceptement the name doth not meane *villain*. And I haue not, I thinke, meant to name the first man that was a *villain*, there be not many to set by the name of *villain* at this day.

Sir. There are not yet there be as many *Villani* as there be *peoplyng* in this realme, from which this word was first derived.

Villaine.
quid.

Villaines
came by
Conquest
bondmen.

Many *Vil-*
lains at this
day.

denied: which as I said, was from the place of their inhabiting the Country, and Country villages & out-farmes. And a man may be called *Villanus*, without offence, vntille it be spoken in approbrious sense: for if a man shoulde ask a Scholler how he would call, or what ad-
mitt he woulde giue unto a man dwelling in a Country
village or house he woulde say he were *Villanus* or *Villani-*
sus: a man belonging to a village or to some Country
house or Farme, for *Villa* signifieth a village, a Farme or
a house out of a towne. *Cato rego villam consueplans* (saith
Cicero) whose Manor or Farme I beholding So in Corn-
wall and some part of Devon, a house in the Country is
called a Towne. This I produce, to shew whence the
word *Villaine* was first derived. But the word at this day
needes not to be so carped at, vntille the party do the
service of that *bace tenure*, which vpon the Conquest was
imposed vpon the Country people: which kind of ser-
vice and slavery, thanks bee to God, is in most places of
this Realme quite abolished, and worne out of memorie:
yet some beare the marke, both in their auncient and
new Copies, by this word *Tenens nationem*, which signifi-
eth a bond Tenant, or borne of the bloud: and yet it may
be their auncestors were manumisst long agoe. And it
were not amisse, that Stewards of such Courts, wherein
such copies are made, would be carefull in making their
copies vpon Surrender of such a Tenant, whose aunces-
tors euermore possessed the thing he surrenders: for
when a free man shall take such a copy, vnder the name
of *Tenens nationem*, he hath wrong, and I thinke it little ma-
teriall, if the word were generally omitted, where there
hath bee an infanchisement: for the greatest argu-
ment for the continuance is, to maintaine the antiquity
of

Villa signi-
fieith a
house, or
Farme in
the Coun-
try.

Tenens na-
tionem in a
Copie, a
badge of
Bondage.

of the Manner, and methinks it were better that such an odious brand were cleane wiped and rased out of every mans inheritance: although / no doubt/ there are yet some within this Realme without manumission , fewe knowne but more concealed, and some(no doubt) have beene by the act of their Lords freed , and neither their Lords witting of it, nor the Tenants taking present advantage: for if the Lord buy or sell with his bond Tenant, it is an immediate Infranchisement of the Tenant and his posterity. And some haue voluntarily released their Tenants of such a slauery. An act of charity.

Lord. Truly I thinke it is a Christian part so to doe for seeing we be now all as the children of one father, the inhabitants of one God, and the subiects to one King , it is very uncharitable to retaine our bretheren in bondage: sith when we were al bond, Christ did make vs free. I feare we are now most in bondage to pride, covetousnesse, gluttony, lasciviousnesse, drunkeynesse , and such : if men could see them from thence they might say they were indeed manumised , and truly Infranchised.

Sur. You say well, and I wish that all men would truly desire that manumission , and that you that are Lords would be conformed to a moderate course of action vpon your Tenants bond or free, that you that are Lords might haue of your lands , and your Tenants by their labours in such a measure as you Lords shoulde not be too strict in taking, nor they too backward in duryng, but in a mutuall manner you to be helpefull vnto them, and they loving vnto you. And by this meanes , shoulde your strengths increase farre more by their loue, then by your lucre, and their comfort grow as much by your fauour, as doth now their groance vnder your greedines.

A mutuall
course be-
twene
Lords and
Tenants.

Lord. Sir thinks you conclude more sharply against Land-Lords, then is cause, so; I am of opinion, there is little

cause why Tenants shold so much grudge as some of them doe. If they say their rents are raised, or complaine of the greatness of their fines, let them enter into consideration, how they tent their commodities: and they shal find as great inequality of the prices of things now, and in times past, as is betweene rents and fines now, and in times past. And as far as I can perceiue, an obseruing and painefull husband liueth, fareth, and thriveth as well upon his Farme or racket rent, as many doe that are called Freeholders, or that haue Leases of great value for small rent.

Prices,
Rents, and
Fines in
times past
and present,
not much
vnequal.

Sir. There is some reason for it, which euery man either seeth not, or seeing it, doth not consider it, or considering it, hath no will or power to reforme it. Some Freeholders, and the Lessees of great things of small rent, bring vp their children too nicely, and must needs, forsooth, Gentelize them: and the eldest sonne of a meane man must be a young master, he must not labour, nor lay hand on the plough, (take heede of his disgrace) he shall haue enough to maintaine him like, and in the society of Gentlemen, not like a drudge. And when this young Gentleman comes to his land, (long he thinks) hee hath no leasure to labour, for Hawking, or Hunting, or Bowling, or Ordinaries, or some vaine or lasciuious, or wanton course or other, leauing plough and seede, and haruest, and sale to some ordinary hireling, who may doe what he list, if the poore wife be as carelesse at home, as husband is abroad: And at his elbow he hath perchaunce some vaine persons, that dissuade from couetousnesse, and from too much frugality, and that he needes not to care for getting more, he hath no rent to pay, but some to receiue which will maintaine him: and when he is gone, all is gone, spending is easier then getting. And thus by little and litle roweth himselfe and the hope of

The reason
why some
Farmers
liue as well
as some
Freehol-
ders.

Yong Ge-
tlemen,
Yeomen,
land-hoep
hired

M. his

The Farmer cares
to pay his
Rent, and
labors for it

his posterity vnder water, in the calme Sunne-shine of his pleasures. Whereas he, that hath a rent to pay, is not idle, neither in heart nor hand: he consideres the rent day will come, and in true labour and diligence prouides for it, and by his honest endeours, and dutifull regard, gets to pay rent to his Lord, duties to the King, reliefe to the poore, and maintaines his estate more pleasing to God, more obedient to the King, more profitable for the Commonwealth, and more truely contented in mind, then sometimes his thriftlesse Land-Lord. I inferre not yet by this Sir, that because they sometimes thriue well, that liue vpon rackt rents: therefore you Land-lords, shoule impose the greater rent or fine: that were to doe euill, that good might come of it, nay rather, to do euill, that more euill may follow: for if there be not a meane in burdens, the backe of the strongest Elephant may bee broken. And the best and most carefull, and most labouriouse, and industrious husband, may be ouercharged with the rent of his land. Happy therefore is that Tenant, that meeteth with a considerate Land-Lord, and happy is that Land-Lord, that may see his Tenants prosper and thriue, and himselfe haue his due with loue. And on the contrary, I thinke it will be very vnpleasant to a good mind, to see his Tenant to be ouercharged and be forced to fall vnder the burthen of ouer heauie an imposition.

Happie is
the Tenant
that hath a
good Land-
lord.

Lord. Wel, I haue heard all thy discourse with patience: and indeede my desire was to heare thee in these things, and I mislike not any thing in thy whole relations, and thy conclusion is not amisse, though perchaunce some young nomes of the world might censure thee: reason will not but allow what thou hast said. And I wish that all the Tenants that I haue may liue vnder me with comfort: so to tell the truth, I had rather buy a simple, and a god report of my faithful Tenants

nants something to my losse, then to get their frownes to my gaine. For there is no comfort in a discontented people, though some haue said: Rustica gens, optima flens, pessima gaudens: which may hold among Infidels, and vnder Tirants, but not among Christians, that should not grieve one another.

Sir. I am right glad, Sir, you are of so qualified a disposition, your example may doe good to others, if not, it will giue evidence against the contrarie minded in time to come. And so for this time I must intreat you, I may take my leaue of you. I will attend your other occasions forthwith.

Lord. That is my will. But who comes yonder?

Sir. I take it is your Tenant, that lately departed from vs.

Lord. So it is, I will leaue you two togther: fare-you well. You know the places where mine occasions will draw you, and in the meane time I will make you a warrant to goe in hand with it.

A good re-
solution in
a Land.
lord.

The end of the second Booke.

• *Сільськогосподарські та промислові підприємства* відповідають залогам земельних ділянок та будинків

1949-50: 104 entries were made. In 1950, 1951 and 1952, 100 entries were made.



THE SVRVEYORS
 Dialogue, betweene the Farmer and
 Surveyor: wherein is shewed the maner and
 method of keeping a Court of Survey, with the
 substance of the Charge, and the Articles
 to be inquired of, how to Inroll Copies,
 Leales and Deedes, and how to
 take the Plotte of a
 MANNOR.

THE THIRD BOOKE.

Farmer.

Du are happily met here again, Sir,
 haue you euer since had conference
 with my Landlord?

Sur. Yea.

Farmer. He is a man of god un-
 derstanding, and verie inquisitive of
 things of profit. And yet to tell you
 truely, hee is a god man to his te-
 nants.

Good Land
 Lords de-
 serue loue.

Sur. Loue him then, for such deserue loue.

Farm. He is beloued of his tenants indeede: for they wil
 goe, and ride, and fight for him.

Sur. It is the part of good tenants, & an argument of
 a good Landlord. But fare you well, I cannot now stay,
 I haue been long letted by your Landlord and you, and
 I haue present businesse.

Farm. Are you presently to undertake the survey of my Land-lords Lordships?

Sur. I am now going about it.

Farm. I thinke it be in your choice where to begin, let me therefore intreat you to begin with Beauland, a Mannor of his here at hand, whereof I am both tenant and Bayly: and therefore I will and must attend you; and yeld you my best ayd, both by my trauell, information, and records of the Mannor.

Sur. Keepe you the Lords records?

Bayly. The key is in my keeping that leads to the Chest, but the key of the Chest is in my Lords keeping: but I will send for it, that you may haue the full view of the evidence.

Sur. So it behoueth. Is it a large Mannor?

Bayly. It is spacious in circuit, and of great appearance of Tenants, full of divers commodities, both under and above the earth, as also of fishing, and fowling, and breedeth not the name for nought: for the Mannor is faire, and very commodious.

Sur. Bee you then my guide: Is yonder it, with the faire house by the woods side?

Bayly. That is it, and a stately house it is indeede.

Sur. It seemes to bee a large and loftie cage, if the bird be answerable.

Bayly. What meane you by that?

Sur. I meane, that a *Titmus*, may harbour in a Peacockes cage: and yet the cage maketh her not a Peacocke, but will be a *Titmus*, notwithstanding the gearnesse of the cage: So if this loftie Pyle bee not equalized by the estate and reuenewes of the builder, it is as if *Pawles* steeple should serue *Pancras* Church for a belfrey.

Bayly. I thinke my Land-lord sent you not instead of surveying his Land, to deride his house.

Sur. The house is beautifull and faire: I deride it not, you doe your selfe wrong in attaching mee, neither discommend

A Surveyor
ought to
see the
Lords cui-
dence.

Great hou-
ses with
small reue-
newes, can-
not sute
well.

commend I the builder. For he that hath gold enough, let him build a house of gold, with *Nero*, who made vnto it a pond *Maris instar*, and woods full of all kinde of wilde beasts. *Publius Clodius* whom *Milo* slew, bought a house which cost him 147000. *Sesterties*. Let Princes haue their Palaces, and great men, their pleasant seates : for the pooreſt will please his fancie, as farre as hee may. But to tell thee by the way, (for this is but idle communication) that I haue obſerued in nothing more ſudden and ſerious repenitance, then for building : I could point out places and persons too with my finger ; but what needs that ? I wish their repenitance could redeeme the thing repented of, but it can no more doe it, then *Quintus Curtius* could redeeme himſelfe out of the deuouring gulfe. We haue in our dayes many and great buildings, a comely ornament it is to the face of the earth. And were it not that the ſmoake of ſo many chimneyes, did raise ſo many duskie cloudes in the ayre, to hinder the heat and light of the Sunne from earthly creatures, it were the more tolerable.

Bayly. Nay truely, I will excuse that fault, the fire is made moſt in the kitchin.

Sur. Then it beſmoketh not the hall, as old worthy houses did, whose kitchins ſmoake ſent foorth clouds of good meate, and ſhoweres of drinke for the poore.

Bayly. Pea, Sir, that was a comfortable ſmoake : but Tempora mutantur, & omnia mutantur in illis : no earthly thing continueth conſtant, but hath his change. Lo, Sir, now you are come to the house it ſelue.

Sur. Truly, here is a pleasant ascent, neither too ſteep nor too flat, and of a good length. And now we are come to the top of the hill : heere is a goodly prospect and pleasant. And these ſprings I like well. For a house without

Mart. lib. 2.
Great hou-
ſes fit for
great men.

Building
often re-
pentend.

Many chin-
neys, little
fires.

The beſt ſi-
tuation of a
house.

Earthen
conducts.

without liuely water, is maymed : and the water is well conueyed, that it cannot annoy the foundation of the house, and yet serueth the most necessarie offices very commodiously : and I see the Conducts are made of earthen pipes, which I like farre better than them of Lead, both for sweetnesse, and continuance vnder the ground. The trees are well placed about the walkes, but that they are somewhat too neere together, their branches confound one the other, they are but twentie foot, and I like better, thirtie. It standeth warm, and comfortable towards the South-east, to which the best ligthes are made fitly to serue: but if the ground would haue serued, I like plain South the better point, for the comfort of the Sunne, at all times of the yeere. And nature hath planted this wood most commodiously in the Northside of the house. And it is delicately aduanced vpon the edge of the hill: it is not posseible to seat a house more delightfully, for Winter & Summer, in mine opiniō. Now too, if vpon view of the demeisnes, and the rest of the parts, it be not found like vnto a child borne in Cheshire, with a head bigger than the body, I shall like it well. Now to our businesse: you are bayly, take this Precept, and summon the tenants to make their appearance, according to the purport of the same.

The forme of the Precept.

Beauland
Manerium.

THese are to will, and in the name and behalfe of the Lord of this Mannor to require you, to give notice and warning unto all and singular the tenants of the same Mannor,

got, that they make their personall appearance on Munday next, being the tenth of this instant June, at the place where the Lords Courts of this Mannor are usually kept: And also to warne them, and euerie of them, to bring with them all such Deeds, Copies, Leases, and other Evidences, whereby they, or any of them doe hold or claime to hold of the Lord of this Mannor any land, tenements, or hereditaments: And that they shew and thereshew, or cause the same to be shewed unto the Lords Surveyor, at the Court then, and there to be holden for that purpose, and to give their further attendance, as occasion of the service shall require: Whereof faile you not,
 Or. Dated the 3. of June, in the fourth yeare of the raigne of our Soueraigne Lord, James by the grace of God, King of great Britaine, Fratres, and Ireland, &c. etc.

Pct. I. N. Superius.

To the Bayly of the Mannor of Beauland, or
 biot. T. T. rigore, to his Deputie, and to his
 seruantes, & seruitors, & to all other whom it may concernys,
 knowe, that hee kepe to none of them chyldren, swynnes,
 or other ffreindes of swynnes, wch wch shal be sent him no
by dictione of my chyldren, or in any other wise, as shal be
 yd by me, bryng or leue or go by the rootes of them, or by
 yd by me, bryng or leue or go by the rootes of them, or by

Commonly the Lords of Mannors doe direct their letters of warrant vnto the tenants, vnto the Surveyor, or be a knowne Surveyor by patent, and performeth the service, when and where he thinketh most fit for the Lords vsc.

The order of a Court Baron being performed (for a Surveyor hath not power to administer an oath *ex officio*, vntle he be a Surveyor by patent, or by commission out of the Chancerie or Exchequer, Duchie Court,

Court of Wards, or such like) by a particular Steward, or by the Surveyor, who for the time may supply the Stewards office, and the charge of the Court Baron ended, the Surveyor may proceede to his admonition and charge, to the effect following.

First, taking note of the names of every tenant, both Freeholder, Copie-holder, Leaser, and tenant at will in a paper, and a turle for the Survey, being impannelled, (after they be sworne) the Surveyor may premonish them to the effect following.

You that haue beene here presently sworne to performe your viceroyall duties, in all the things that are and shall be giuen to you in charge, doe, or at least you may conceiue, that as the Court Baron (the charge whereof you haue alreadie heard) is with you ordinary twise a yeere, and (if the Lord will) every three weeks: this kind of Court, which I haue now to admonish you in, tending to the survey of the Manoer, hapneth not (perchance) in the time of man's age, though the Lord hath power, and (no doubt) occasion to keepe it oftner. You must therefore shew your selues so much the more diligent in this, as the more seldome you are troublther with. And it behoueth you to call to mind, what by oath you haue assynd to performe, namely, all that shall be giuen you in charge, whereof part hath beene deliuered vnto you already: which being so ordinarie amongst you, it must needs be more familiar, than the things you haue seldome heard of. And for that this busines of Surveying stretcheth a little further then the Court Baron, let your attencion, & examination, and fathful presentmentes witness your true affections to the persons, & ends to which the purpose of our present meeting at this time aymeth.

The

The particulars inquirable are many, and of many kinds; but the persons and ends few. The first is God, in whose presence we all stand: who louerth truth from the inward parts, that is, when the action and the will concurre, and hateth dissimulation. The second is the King, whose we all are, vnder God, whose lawes we are to follow, as wel in this busynesse, as in any other: for that it tendeth to the seeking and setling of truth, (the mother of true peace) betweene you and your Lord, in giuing both to you and him, what is equall, and just. The third, is the Lord of the Mannor, whose you are vnder God and the King: and therfore requireth at your hands at this time, equall dealing, neither to discouer for malice, nor to conceale any thing for fauor to either partie. The fourth, is your selues, whom you can in no better sort befriend in this action, then to keepe your hearts and lips pure, in concealing or uttering: For there is as great a danger in concealing truth, as in uttering a falsehood. And there is no such burden, as the burden of a guilty conscience, which is laid on no man, but of himselfe. And lastly, the persons to bee considered in this busynesse, are your posterities, whom your true or false relations will either helpe or hurt. The ends whereunto it aymeth, are first, to explaine vnto the Lord of the Manner, what is his by the examination of your estates, rents, and customes, and to establish you in all things that are rightly yours: both which being truly found, and duely recorded, cannot but preserue amitie betwixne you and your Lord: which should be the principall end of all indeuours. And fith God is the first and the last, and will be present in the beginning, in the middle, and in the end of all your consultations, and will be a wittnesse for you;

or against you, even in your most secret counsels, set him before the eyes of your hearts : so shall you tremble to conceale truth, or vtter falsitie, whether it be with or against your selues, or dearest friends, yea, or the Lord of the Mannor himself: whose purpose in this seruice is, that the manifest truth might be cōfirmed, the hidden reuealed, & errors abandoned. And al this lieth in you, and at your hands it is required to search, and by searching & examination, to find out, and found, to deliuere & preleue the whole, & not a part of your sincere knowledges, for frō your mouths must that be taken & had, which must bererecorded for the direction of your posterities as a perpetuall glasse, wherein the estates of all the particular within this Mannor, may be at all times seene and confirmed: wherein you shall discharge your dutie to God, who commands and commends truthe to the King, who by the sword of his Iustice, maintaines truthe: to your Landlord, who desireth only to know, and haue his owne to your selues, who by this meanes shall possesse your owne in peace: and to your posterities, who by this your trauell, diligence and true information, shall partake of your sincere and faufull seruice, being inrowled, and recorded vnder your names, to your perpetuall commendation: whereas if you delinde me, and abuse the Lord of the Mannor that hath sent me, I by your sinistre information may commit errore, and leaue it to your posterities by record: yet shall I be free of the wrong, and you shall answere it. And if you should frame any defence against the seruice, and plead either ignorance, or shew obstinacie, pretending thereby to stand dispensed of your oath, because you doe it not, you dochtur your selues: for the seruice is so inseparably knit to your tenures,

nures, & your tenures to the Lord of the Mannor, as de-
ny or refuse to doe the one, you forfeit the other : how-
soever some may say, that they are freeholders, and they
are customarie Tenants of inheritance, which in their
conceit employeth a kinde of freedome : let them not de-
ceive themselves, their estates are conditionall, as both
by their deeds and copies, they may bee easilly resoltued,
by these words : *Habendum sibi & hæredibus suis (in the
deede) ad voluntatem domini, secundum consuetudinem
manerii (in the copie.) In both pro redditu & servitiis in-
de prius debitis. Et de tute consuet.* And because some of
you doe not (perchance) vnderstand the meaning of the
words : thus they signifie, that you are to hold your
Tenements, to you and your heires, &c. For such
rent, and doing such seruices, as haue bee[n] heretofore
due, and of right accustomed. Is not this a condition?
for if you pay not the rent, or denie the seruice, you are
at the Lords mercie to be compelled. I doe not think
therefore that any of you, of any discretion, will aduen-
ture the losse of his interest, for not performing a seruice
at his Lords commaund, that tendeth also to his owne
benefite, and to no preuidice at all.

The end therfore of all mine admonition is, to moue
you (being a thing of common right) to shew your selues
like vnto your selues, true and fauifull Tenants vnto the
Lord, concurring all in one mind, to doe the Lord this
seruice in loue, and the Lord, no doubt, will recōpence it
with like fauour, although there be no recompence due
for that which duty bindeth to be done. By this meanes
you shall confirme your owne strengths, by gaining and
retaining the Lords kind countenance: and he againe
shall be the more fortifid, by your true affections to-

wards him: for what a ioyfull thing is it, for Lord and Tenant to dwell together in vnity? Now having thus prepared you to attention vnto the matters of your charge: I will heare read, and explaine vnto you such Articles, as shall be for your instruction, and leaue them with you in writing, for your better memorie: for I know, and haue often found, that a bare deliuerie of many words, and of diuers things (as in the charges commonly giuen in Courts Baron, and Leete) euen to eares well prepared, may be little effectuall, lesse to him that heareth, and regardeth not: but least of all to him that will not regarde or heare at all. Such hearers there are of diuine things, but many more of humane of this kind: but were they matters of carnall pleasure and delight, they would bee both heard and practised: And therefore I the more mooue you to attend vnto the things which I now am to deliuervnto you.

The substance of the charge of a Court of Survey, contained in the Articles following.

Beauland
Manerium.

Owner of
the Mannor

Pounds of
the Mannor

First; as no doubt you all know, that A. B. Knight the reputed Lord of this Mannor, is the true and undoubted owner of the same, and of all the lands, Medowes, Pastures, and other hereditaments within and belonging to the same: And that you, and every of you do hold your lands belonging vnto this Mannor of him: if not, who hath the interest and right of the same, to your knowledges?

2. You shall duely and diligently set downe, or shew vnto the Surveyor in his perambulation of the Mannor,

all the circuit, buttes, bounds, and limitts of the same, and vpon what, and whose Mannors, Lordships, lands, and parishes it bordereth on all parts. And whether any confining Lord, or his Tenants, doe any where intrude or incroache vpon this Manner, where it is, by whome, and how much is so incroached.

As for the bounding of the Manner, it is fittest to be deliuered unto the Surveyor, when hee treads the circuit, and that the best experienced Tenants accompany him for information, and some of the youth, that they may learne to know the bounds in times to come.

3 Whether there be any other Manner or Mannors lying within the limits or circuit, or extending in part into this Manner, what are the names of the Mannors, and who are owners of them, and how are they distinguished from this Manner. And whether this Manner doe any way extend into, or lye within any other Manner.

It is often seene, that one Manner lyeth within another, and intermixed one with another in such sort, as the true circuites, buttes, and bounds, become confounded: necessary therefore it is, that their distinctions shoulde be carefully obserued and recorded, for oftentimes one is devoured, or otherwise injured by the other, when Lords are remisse, and Tenants carelesse, to bring that to certainty, which is, or may become doubtful. And especially where many Mannors lye intermixt, and one man holdeth land, copy or free of them all, there oftentimes groweth confusion, vntel hee each part be well bound and bounded; for though he can say how many acres hee holdeth of either Manner, yet he cannot distinguish the land whereby some of the Lords cannot but be abused, or the Tenants wronged.

4 What Freeholders there are within, or doe belong vnto

Mannors
intermixt.

1. 2. 3. 4.
Freeholders.

vnto, and hold their land of this Mannor, what are their names, what land hold they, what rent pay they, by what Tenure doe they hold, and what seruices owe they to the Lord?

Freeholders

The negligence of Lords in the due continuance of the substance of this Article, hath bred prejudice to many: for where Freeholders dwell out of the Mannors, whereof they hold and pay vnto their Lords but a small acknowledgement, as a rose, a pepper corne, a Tylofflower, or some such trifle: or are to do some service, somes at whereof in many yearees hath bee ne no vse, they haue not bee ne looked for, neither haue their suites bee ne continued for long time, insomuch as they and their Tenures haue growne out of memorie, and their seruices out of use, and other Lords haue intituled themselves to the land, and the right Lord lost all possibilities of estate, wards, marriage, &c. As common experience maketh more plaine, by the daily questions and suites which rise, when profits apparent, may grow by any of the former casualties,

And therefore it is most necessarie to have alwaies a true suite roll whereby the Steward shalld every Court call the Freesuitors by name, and to expresse what rent he shalld pay, and what seruices he ought to doe, and that at the death of every suitor his brise with the land, rent, and seruices, would be inserted in his steede. The profit that will hereby grow vnto the Lord and Tenants, is manifest, and this roll is to be made by the Surveyor, and to be indented, the one for the Lord, the other for the Tenants, vpon view of every Freeholder's land.

*Felony,
Treason.*

Whether you know, that any Freeholder within or belonging to this Mannor, hath committed any felonie or treason, and hath bene thereof conuicted, the Lord not yet hauing the benefit of the forfaiture: or whether hath any such Tenant died without heire generall

London
1628
C. 212

or

or speciall: If so, who hath the present vse and possession of the Land, and by what right, what land is it, where lyeth it, how much in quantity, and of what value?

It is a great defect in the Survey of a Mannor, which remai-
neth to posterities, being inrolled or ingrossed for perpetuall
memorie, when the Surveyor doth superficially passe ouer the
obscruation of the lands of every Freeholder, their Tenures,
quantity of Land, the place where it lyeth, the rent and seru-
ices. For upon sundry necessary occasions, the Lord is to seeke in
every of these: and some are worthy, because they loue not to
be a charge to finde out and continue that which is not present-
ly profitable.

6 Whether doth any bastard hold any land belong-
ing to this Mannor, as heire vnto any, what is his name,
what land is it, and where lyeth it, and what is it yearely
worth?

A Bastard, though he be knowne to be the sonne of that fa-
ther that leaueth him the land, cannot inherist iure haeredita-
tio, but by conveyance. Neither, if he purchase land in his
owne name, can any inherite it after him of his supposed
bloud, unlesse he be married, and haue children lawfullly be-
gotten to inherite. Because it is contra formam Ecclesiæ, as
appeareth more at large. Merton. cap. 9. For a Bastard is no
mans, or euery mans sonne.

7 What demesne lands hath the Lord within or be-
longing to this Mannor, what and how much woods,
vnder-Woods, Meddow, Pasture, arable, moores, marshes,
heathes, wastes, or sheepe walkes: And what is euery
kind worth yearely by acre, how many sheepe may the
Lord keepe vpon his walke winter and summer, and what is a sheepe gate worth by yeare, and what is euery
acre of wood wert to be sold?

Bastard

Demesnes.

O

Although

Although this Article, and sundry other hereafter mentioned, be in substance enacted by a Statute made Anno 3. Ed. I. called extenta Manciæ, to be enquired of by the Tenants, yet it is the part and office of a Surveyor, to see, examine, and judge by his owne experience and knowledge, every particular, comparing the Juries presentment with his owne opinion: so shall be more truely attaine to the true understanding of the things he seeketh: and the more, if he discreetly feele the minds of forraigne inhabitants, that are ignorant of the cause of his inquisition.

Demeisnes
in common
Fields.

8 What demeisne lands hath the Lord lying in the common fields of the Mannor, how much in euery field, and euery furlong: And what is an acre of ordinary field arable land worth by the yeare? The like you are to present touching demeisne meddow, lying in any common meddow within the Mannor.

Common
Fields, and
common
Meadowes.

9 Also you are to present the names of all your common fields: and how many furlongs are in every field, and their names, and the common meddowes, and their names. And what beasts, and sheepe, euery Tenant ought to keepe vpon the same, when the corne and hay is off. And what a beast gate, and sheepe gate is worth by yeare, Also at what time your fields and common meddowes are laid open: and how are they, or ought to be vsed. And whether is it lawfull for the Tenants, to inclose any part of their common fields or meddowes, without the licence of the Lord, and consent of the Tenants.

This Article is duly to be considered, first in setting downe in certainty, what every man is to keepe vpon the fields, and common meddowes, because iniury is daily done by some of greatest ability, to the meaner sort, in oppressing the fields, with a greater number of Cattle, then according to a true proportion

portion will fall unto their share, which is very extortiōn, and punishment is to be inflicted upon the offenders.

Also inclosers of common fields, or meadowes in part, by such as are most powerfull and mighty, without the Lords licence, and the Tenants assents, is more then may be permitted: the reason is, that the rest of the Tenants haue as much right to every herbe, and grasse within the same, when the corne is off, as he hath that encloseth the same.

Baily. But Sir, if they lay it open at Lammas, or at such time as custome requireth, I thinke he doth neither Lord nor Tenants wrong.

Sur. Yes: for first, he depriueth them both of the feed, of as much as his hedges, ditches and inclosures take: besides, whether is it as conuenient for passe and repasse of Cattle at one little gappe or two, as when there is no estoppel at all?

Baily. You like not enclosures then.

Sur. I doe, and I thinke it the most beneficiale course that Tenants can take, to increase their abilities: for one acre enclosed, is worth one and a halfe in Common, if the ground bee fitting the case: But that is shoulde be generall, and that the Lords shoulde not depopulate by usurping inclosures. A thing basefull to God, and offensive to men.

To What Commons are there within the Lordship, Commons.
which doe properly belong to the Lord and Tenants of
this Mannor, and how are the Tenants stinted, whether
by the yard land, plow-land, oxegang, acres, or rent: how
many may euery Tenant keepe, after either proportion
or rate.

In this, the like consideration is to be had, as of the former: but that this kind of pasture is called in the Statute of extenta Manerii 3. E. I. *pastura for insica, for raigne herbage or pasture*, because no part of it is proper in any sort to any peculiar Tenant, no not to the Lord himselfe as are the common fields

The Surveyor's Dialogue.

and common meadowes. This kind of Common or pasture for
rinsica is in three sorts: the one is, where a Mannor or Towne-
shippe having and holding their land in feueralty, haue by
consent lymiteda certaine parcell of ground, to lye common
among them, and from the beginning haue stinted every man
according to a proportion betwene them agreed, and that is
commonly by the acre, which the pasture containeth.

Another manner of such kind of Common pasture is, wher
certaine waste groundes, one, two or more lye within the Man
nor or Towne-Shippe, and the heard of the whole Towne is
guided and kept by one appointed by the Tenants, and at their
generall charge, to follow their Castle: in which kind of pas
ture, there is also a limitation or stint both of the number,
and kinds of Cattle.

A third kind of this pasture, or common feeding is, in the
Lords owne woods, that lye common to the Tenants: as also
common Moores or heathes, that were never arable.

In all the former commons of pasture, there shold bee
certaine stint and allotment, both to the Lord and his Tenants:
but in this latter, it seemeth that the Lord shold not be limi
ted, because all these latter commons are supposed his owne,
and the Tenants haue no certaine parcell thereof laid to their
holdings, but onely bit of moush with their Cattle. But the
Tenants ought to bee stinted in all sorts of common, lest, as I
said before, the rich devoure the poore: for the one can provide
sheepe, and other Cattle for the summer: and haue inclosed
pasture for the winter, or can sell againe, when the farragine
pasture is gone: but the poore cannot doe soe.

11. Whether hath any man to your knowledges in
croched any part of the Lords waste, by inclosure, or ad
ding any part thereof to his owne land: present who hath
so done, where, how much, & how long it hath continued.

This

Incroching
the Lords
waste

This kind of encroachment is not rare, especially where great wastes and mountainous grounds are, where the Lord nor his officers walke not often, and where Tenants, for fauour or affection, will wincke at euill doers, or for their owne priuate lucre, commit the same error themselues, with hedges, ditches, pales, walls, sheddys, &c.

12 Whetier hath the Lord any Parke, or demesne wood, which by stocking may turne to the Lords better benefit, by pasture, arable, or meddowes: and what is an acre worth, one with another the stocking, and how many acres is the wood, and what will an acre of the wood bee worth, and what will an acre of land be worth by the yeare to be let, when the ground is stocked and cleared.

Although it be the part of the Iurie, to yeeld their opinions in this case: yet it behoueth the Surveyor to haue so much iudgement in euery of these points, as hee may be able to satisfie himselfe and his Lord, by sufficient reasons, least he be deuided, and the Lord abuseth either through ignorance or partialitie. And above all it behoueth the Surveyor, to looke into the nature of the soile of the wood: for there are some wood grounds that are good for no other use, as a dry or cold gravelly ground, whose vertue and disposition may be easilly obserued by the herbage.

13 Also you must present the names of all customarie Tenants, within & belonging vnto the Mannor, what meuages, Tenementes or lands they hold, and what euery meuage or Telement is called, what rent it payeth: and what profit aseth to the Lord, by the death of any such customarie Tenant, or by the death of any freeholder, by fine, herie, or reliefc by the custome of the Mannor.

Commonly these customarie tenants, upon death and alienation

Parke, &
mēsne
woods.

Customary
Tenants.

nation doe pay a sume, whiche in some places is certayne, and in some, when the same they are at the Lord's will: and in most places they are also heriotable.

Bayly. In this Mannor there be some custome tenante heriotable, and some not, how comes that? can there be two customes in one Mannor?

Sir. There may bee so. And the reason may grow by the escheating of a Mannor, that had in this point a contrarie custome to the Mannor, to which it was cheated and annexed: and so the customes of either may hold vnder one Court.

Bayly. Your reason is good, and I take it, it may well be that those that now no man have, are tenements of a former tenement, and so by þem the customs, the heriots were remitted.

Sir. That is not so likely, for that if any such new tenements were, they were graunted in such forme as other tenements, with these words: *Habent hanc ad voluntatem Dom. secundum usuet. Maneris*: which words doe imply all duties and seruices, which the most ancient tenements are bound vnto.

Primi f. 165 There is also a Copy-hold estate, called ancient demesne, and the remainder, remaining, whereof þme are of frank-tenure, and some of base tenure. Tenants of base tenure, are they that hold by vertue of the will of the Lord, and the frank-tenure thereof is in the Lord.

It is to be noted, that Copy-hold lands are very ancient, before the Conquest, in the Saxon time, þe called this kind of land, Folkland, and their Charter lands were called Bookland.

*Difcuse of
Custome
Land.* 14. How doth the custome land of this Mannor, by your custome, descend after the death of an Auncester, to the yonger or elder sonne? And whether will the custome of the Mannor allow an intaille by copy, and whether

ther doth it bear widowes estate, or whether may shee
have it during her life, though shee marry: and whether
may a man hold by the countie?

Sundry differences there are in sundry Mannors, touch-
ing the substance of this Article.

The custome of some Mannors is, that the youngest sonne
shall inherite, as in Burrow English: if he have not a sonne
his youngest brother, as at Edmonton in Middlesex.

The custome of some Mannors is, that all the sonnes, and
all the daughters shall inherite alike as in Gauelkind at Il-
lington neare London.

The custome of some Mannors is, that if the Tenant die
leaved of five acres or under, then the youngest sonne shall inherite,
but if above, then all the sonnes shall inherite; as in
Gauelkind Kitch.

The custome of some Mannors is, that neither the wife shall
inherit, neither the husband hold by her right. And the cu-
stome of some other Mannors is, that shee shall have the third
part of the rent, as at Busby in Middlesex, and two part of the
reverver.

In some Mannors, the wife being a virgin at the time of
her marriage, shall have all the Copy-hold land for her franck
bunch, whereof her husband shall be seized. And many such. At
Kilmerston in Summersetshire, the wife hath widowes estate,
and if shee marry shee loseth the land, but if shee be found in-
continent, and come into the next Court riding astride upon
a Ram, and is open Court daies say unto the Lorde if he be pre-
sent, or in his Steward, these or words to this effect,

For thine wife's fault I take this paine,
therefore my Lord let mee have my land againe,

Shee is by the custome to be restored unto it without further
fine, doing this penance.

Whe-

Heriotable
Tenements
dismembred

15. Whether are there any Customary Tenements that are heriotable dismembred, and divided into parcels, to the weakening of the Tenement, and who bee they, that haue these heriotable parcels, and what quantity hath every of them?

Although there be no immediate profit can accrue unto the Lord by the presentment of the substance of this Article, yet it behooveth the Lord to know, who be the Tenants to any part of the land, belonging to an heriotable Tenement, because every part continueth heriotable, and draweth unto the Lord the best goods of the Tenant of such land deceasing, through the land, in regard whereof he payeth it, be but an acre, and he haue elsewhere free or copy, that mainaineth horse, or other cattle of great value, the Lord may seize the best for his heriot.

Fines.

16. Whether are not the Fines for admistances, of a new customarie Tenant, being heire, or comming in by purchase, or vpon Surrender at the will of the Lord, or are the fines alwaies certaine?

Forfaiture
of Copy-
hold.

This is an Article, whereat some close hearted Tenants will sceme to stagger, being the nature of all men to favour themselves, and their posterities, and to worke so, as they will (if it be possible) make the Fines certaine, by looking back into times past, wherein they haue found by old Records, and by report of Tenants before, that the fines haue beeene certaine, and so they may be in some places though in few at this day. And it may be, former times did afford such favour, vntill land became of more value, but of late yeares, that course hath been broken, and Fines become arbitrarie, wherewithal, the Lords and their ministers would use, a meane in exacting.

17. How, and by what meanes may a customary Tenant forfaine his Copy-hold Tenement? whether for felling of timber

timber trees, plowing vp ley grounds, or meddowes never tilled before, or for suffering his houses to decay , or for pulling downe any houses, or for committing any other wilfull waste, or deuising his customarie Tenement or lands, for longer terme, then the custome of the Mannor will beare: Or for committing any other act, contrary to the custome of the Mannor ? And whether hath any Tenant of the Mannor offended in any of the former things ? who it is, and wherein is any such offence committed.

Divers Actes there be, whereby a Tenant in one Mannor may forfeit his Copy-hold Tenement, which Act is no forfeiture in another Mannor. For customes are very different in divers Mannors: for in some Mannors a man may cut downe wood and timber trees upon his Copy-hold land, and sell them at his pleasure, which in some Mannors is a forfeiture.

Some Mannors doe allow the Customary Tenants of the same, to let their land for three yeares, some for more without the Lords licence: and in some Mannors to let the same above ayeare and a day, is a forfeiture.

In some Mannors a man may let fall all his customary houses, which in some other Mannors is a forfeiture.

In some Mannors a man may not plow vp or sow his Copy-hold Meadow, or ley ground, that hath not beeene vsed to be tilled, in some Mannors contrary.

So that these kinds of forfeitures are according to the custome of every Mannor.

18 *VVhat are the customes of the Mannor in generall, both in the behalfe of the Lord, to performe or suffer to the benefite of his Tenants, and of the Tenants to performe to the seruice of the Lord.* Customes.

In the beginning of every Mannor, there was a mutuall respect of assistance, betweene the Lord who gaue parcels of land whether in fee or to hold at will, or upon other conditions, and the Tenants of every nature, for ayding, strengthening, and defending each other: the continuance of which first proposed course, hath bred that which is now called custome by the fauour of tyme. And thereby that which at the beginning came ex gratia Domini, is now maintained by strong bands against the Lord, and what came of a voluntary consent of seruice of the Tenant to the Lord, the Lord may exact of his Tenants by law: and either in right of the custome due to other, constraineth each other to doe that, which in the beginning was of either part voluntary.

Customes are of diuers kinds, and diversly to be performed. Some in the course of inheriting of land, some in the way of wemens dowries, some in the estates of land, some in matter offorfaitures, some in workes, some in rents, some in fines, some of the Lords benuolence in allowing his Tenants mead, drinke, money, &c. in time of their workes: as these customes in sevrall Mannors, severally are allowed.

Mannors themselves may haue strange commencement and continuance, as the honour of Baily in Essex, which had a Custome Court kept yearly the munday after Saint Michaels day, the Court is kept in the night, and without light, but as the Sky giues, at a little hill without the Towne called the Kings hill, where the Steward writes onely with coales, and not with incke. And many men, and Mannors of great worth hold of the same, and doe suit unto this strange Court, when the Steward calls them with as low a voice as possibly he may, giuing no notice when he goes to the hill to keepe the said Court, and he that attends not is deeply amerced if the Steward will. But for particular Mannors, as the Customes of them

are many and diuers: So it behoueth every Tenant to know whereunto he is bound by custome, if there be no auncient custome roll to leade them, it behoueth the Surveyor to renew the same, wherein he is to set downe every Tenants name, his Tenements, lands, Meddowes, pastures, &c. the rent and service due for every of them, and whether works be turned into rent, and to indent the same, that the Lord may haue the one part, and the Tenants another. The neglect whereof hath bred many inconueniences, both to Lords and Tenants.

Custome rol.

19 Whether is there within this Mannor any vilaine or niefe, namely, any bondman or bondwoman: if there be, what are their names, what land doe they hold, and what is the same yearly worth.

Villaines, &
Nieces.

Although this kind of Tenure be in manner worne out of use, yet some there are (no doubt) though concealed in some Mannors, neuer infranchised or manumised.

20 Whether hath any Tenant or other person within this Mannor stocked up any bedg-row, plowed up any Baulke, or land share, remooued any Meere stone, land marke, or other bound betweene the Lords demeisnesse and the Tenants Free-hold, or customary land, of inheritance or betwene his Free-hold and customary land, or between this and another Mannor or Lordship, where is any such offence committed, by whom, and where ought the same bound so remooued, altered, taken away, or displaced, to stand.

Remoouing
of Meers or
bounds.

This is a necessary Article to be duly considered, because that by this meanes of remoouing or taking away Meere stones and land marks, the Lord often times incurreth great prejudice: for that when a Leassee of the Lords demeisnesse being either a Free-holder, or a customary Tenant of inheritance, hath land of his owne adioyning unto the demeisnesse

or intermixt, and he take away the marks of division, leaueth the master doubtfull which is the Lords, especially where a long lease or patent is, whereby the Tenant hath time to make alteration; and it is no new or strange thing, to attach some by name and place, that are culpable, and haue yeelded to reformation, being found out before their intents were fully ripe. And aboue all, such are most worthy to be punished, for altering any such knowne markes, vnder whatsoeuer pretence of ease or necessity, which is the common cloake of the mischiefe, vsed most in the Kings lands, wher long patents are granted.

Cotages.

21 What customarie Cotages are there within this Lordship, tofts, crofts, or curtilages: what are the Tenants names, what rent pay they, and what seruices doe they?

It is to be understande, Cotagium: signifieth as much as casam, a little house or a place of abode onely, or a little dwelling, wher unto little ground belongeth but on Orchard, garden, or some small toft, croft, or curtelage: but Cotages of themselves are not auncient, as I take it.

22 Whether are there within this Mannor, any new erected Tenements or Cotages, barnes, wals, sheddes, Housels, Hedges, Diches, or such like erected, set vp, or made: or any Watercourses, or Ponds, digged vpon any part of the Lords waste, without the Lords licence: where is it, and by whom was it done, and by whose licence, and vpon what consideration.

The ouermuch libertie of too many newe erections, breedeth sundry inconueniences, not onely to a Mannor, and the Lord, and Tenants thereof, but to a whole Common-wealthe, and therefore not to be permitted without good consideration: although it is most conuenient, that the poore should haue shelter, and places to shroud them in, if they be found honest, verthous,

tuous painfull, and men of abilitie, to gaine their owne and their familie's relief.

But it is observed in some parts where I haue trauelled, where great and spacious wastes, Mountaines, Woods, Forests, and Heathes are, that many such Cottages are set vp, the people giuen to little or no kind of labour, living very hardly with Oaten bread, sowe whay, and Goates milke, dwelling far from any Curch or Chappell, and are as ignorant of God, or of any ciuill course of life, as the very Salvages amonst the Infidels in manner, which is lamentable, and fit to be reformed by the Lord of the Mannor.

23 VVhat Tenaants are they within this Mannor, that doe hold any lands or Tenements by *Indenture of lease*: what are their names, what land hold they, for what rent, vnder what conditions and covenants, for what termes of yeares, or liues.

This Article is most especially to be observed, touching the covenants by view of the Tenants leases, but the Inrie is to find the names, and to present them with the land and rent as far as they can learne.

24 Whether hath or doth the Lord employ any land to *inflment*, as in taking in cattle to pasture and herbage: who hath the disposing of the same, what quantity of land is so disposed, and how many cattle will it pasture, and what is a Cowe, Oxe, Horse, or sheepe-gate worth by the yeare, or by the weeke within this Mannor.

Much land is thus vsed in Yorkshire, and other places Northward, more beneficially then to stocke it.

25 Whether hath the Lord of this Mannor any customary Water-mill, Wind-mill, Horse-mil, Griesl-mill, mault-mill, VValke-mill, or Fulling-mill: VVhether is there within this Mannor any other Mill, Iron-mill, Furnace, or Ham-

Indentures.

Inflments.

Custome mill.

mer, Paper-mill, Sawing-mill, Sheere-mill, or any other kind of Mill: what is it worth by yeare, and in whose occupation is it?

where sufficient riuers, brookes, stagnes, ponds, or Water-courses are, there are commonly some kinds of Mils, or other profitable deuices, that humane wit and iuention hath set up for necessary uses, for the benefite of man, and for the Lords profit of the Mannor, where such deuices are erected. And yet all kinds of deuices are not conuenient in all places: as where no Lead, or Tinne is, there is no neede of the vse of water, to moone a wheele, to blow the fire for the melting and trying thereof: yet there may be like vse for Iron oare: and where neither of them is, there may be vse of Walk-mils, or Fulling mils: and where those are not, yet there may be vse of corne-mils, and such like. And in some places the force of water-courses is vsed, to raise water out of one place into another, where the naturall current denyeth the comming, and manting thereof: with infinite other deuices, according to the situation of the place, and necessitie of the thing required. Which, though they be not all Mils to grind corne, yet may they bring profite to the Lord, which is the thing the Surveyor should court, not onely to obserue what is already, but must have also some iudgment to erect some, if the water-course will conueniently afford the same to encrease the Lords revenues.

To the Corne-mil, which are custome mils, doth belong a kind of duty from the Tenants, that is, that they are bound to grind their corne at the Lords Mill: and that kind of custome is called Socomē.

Baily. Must a customarie Tenant of a Mannor, when such a Mill is, be forced to grind all the Corne he spendeth in his house, at the Lords Mill?

Sur. Of necessity, if it grow vpon the Mannor: or else the Lord may amerce him for his default.

Socomē.

Baily,

Baily. What if he be forced to buy it in the Market?

Sur. Surely then it is a question, whether he be bound to grind it there or not. But I take it, he is at liberty, to grind it where he will, euen where he finds himselfe best serued. For there is *bond-Socome*: that is, where the Tenant is bound by custome, and *lone-Socome*, where hee grindeth of free-will.

Baily. We that are Tenants would be glad, if you could tell vs, what toll our Milner may take: for wee are much abused in it, as we thinke, and because we be bound by custome, wee cannot conveniently leaue the Mill, and yet wee find no remedy of the Milners abuses?

Sur. As touching *Toll*, (which word commeth of the verbe *tollo* to take away, as it seemeth) there are so many differences, by graunts made by Lords of Mannors, that the certainty in generall can hardly be declared. Some Millers take a twentieth, some foure and twentieth part: Tenants at will should pay a sixteenth part, and a bond Tenant a twelfth part, and some are tol-free. But howsoeuer the toll be, feare not, the Milner will bee no looser. And for his abuses, you haue your remedy in the Lords Court, or at the common law.

26 VVhether hath the Lord of the Mannor any *peculiar fishing* within any riuier, brooke, mere, stagne, pond, or other water: where and how farre doth it extend, and what is it yearly worth, and who be Farmers thereunto, and what common fishings are therein, and waters within the Mannor, and how is the same vsed?

As this Article is little needfull to be propounded in Mannors wher no riuers or sufficient waters are for fishing: so it is very necessary to be examined, where such waters are. For it is daily obserued, that many abuses are committed against the Lord himselfe, by such as usurpe his peculiar fishing,

shing, and against the Common-wealth, in destroying fish, as appeareth by the punishment ordained against offenders ther-in. 25. Hen. 8. cap. 7. and 31. Hen. 8. cap. 2. Therfore it behoueth the Surveyor to be more carefull in seeking the meane how to raise a profit unto the Lord by his fishing, then to find the present abuses which are inquireable, and punishable at every Leete, although, if any apparant offenders be found, he is to ad-uertise the Lord for reformation: but not inroll the same in his booke of Survey. For nothing is therein to be inserted, but matter of perpetuity, in recommending the present state of the Mannor unto posterities, and for the Lords immediate use, the Court rolls of the Mannor doe shew, the abuses and punishments in those kinds. And therfore besides the ordinary fis-hing in small land riuers, brookes and ponds, there must bee also remembred what profit may arise by fishing in the Sea, if the Mannor be neere it, or any creek thereof, in oysters, muscles, cockles, crabs, creusches, and such like.

27 Whether hath the Lord of the Mannor any Fowling within this Mannor, by meanes of any moores, marshes, waters, brookes, reedes, or such like: as of Ducke, Mallard, Widgine, Teale, Wildgeese, Busterd, Ploners, Bitters, Swans, or such like soule: or any woods wherin do breed any Herimboes, Shouelcrs, Storke, or such like: or any Pebble, Beach, or Sea-banke, wherein breedeth Sea-Pyes, Oliues, Pewets, or such, who taketh the profit of them, and what are they, or may they be worth by the yeare, vnto the Lord.

These kinds of commodities are not in euery Mannor: and therefore as in all other things it behoueth the Surveyor to consider of these particulars, and give no more unto the Jury to be enquired of, then hee either knoweth to be enquirable, or likely, by examination to bee found in the Mannor, he intendeth to Survey, yet not to omit any whereby the Lords revenues may be increased.

28 Whether hath not the Lord of this Mannor time
out of mind) had and receiued all waunes, estrayes, felons
goods, treasure found, within the Mannor, and such like
profites, and whether hath he beene answered of them
from time to time truely, or not, and who is the officer
that doth ouersee, and take notice of the same to the
Lords vse.

Waunes,
Estrayes.

*Although these kinds of profites may redound unto the
Lord by prescription, yet most commonly they are confirmed
by charter, and therefore the Lords evidences, together with
the vse, must be examined.*

29 Whether are there within this Mannor, any Tin-
mines, Lead-mines, Copper-mines, Cole-mines, Quarries of
stone, of Marble, Frece-stones, Mil-stones, Lime-stones, Grin-
ding-stones, Marle, or chalke-pits, slimy or moorish earth, fit
for soylling of land, or any Potters clay, clay for Brinke or
Tile, or any Fullers earth, or any sand, or gravel-pits, or
such kind of commodities, and what is every such kind
worth to the Lord, or may be made worth by yeare.

Mines.
Quarries.

*These are casualties, and seldome or never as al happen in a-
ny Mannor together, and few Mannors but have some or one
of them, which may be very beneficall to the Lord, if the sur-
veyor be willing and skilfull to aduantage the Lord.*

30 VVhether hath the Lord of the Mannor any
Turffes, Peates, Heath, Broome, Furrers, or Flagge, which are,
or may be yearlye sold within the Mannor, and what
may they yeld the Lord by yeare, if they were im-
proued.

Turffes and
Peates.

*These things are not in every country, much lesse in every
Mannor, for I thinke Essex can afford little of them, unlesse
it be of Turffes and Peates, if they were sought in some low
groundes, in some creeks of the sea, Northumberland, West-
merland*

Q.

mealand and those wild fields yeld store of Peates and Turfs: so also Yorkshire, Lancashire, & other places, many within this Kingdome, which would be very profitable to make good fuel, and save much wood. doth much profit by this, consider-

Baily. What meane you by Turfes and Peates? are they not heath Turfes you meane?

Sur. There are heath Turfes, which are also meant in this Article, but the Turfe and Peate is of another kind: for they are taken in bogges, and such rotten grounds as cattle cannot feede vpon. And those that are first cut vp, are called Turfes of the vpper part, and such as are taken downewards, are called Peates.

Baily. How meane you downeward?

Sur. Under the first cut: for you may cut a speare length deepe in some places in the summer time, and that kind of earth will burne very excellently. And if it be cut neuer so deepe, it will fill againe in few yeares, and then may it be digged againe; insomuch that the profit wil be continual.

Baily. Then it is beneficiall ground.

Sur. So it is: and I thinke there be many grounds would serue to this purpose, if they were sought out, where scarcity of other fuelle is. But there is no greater enemy to thrift then idlenesse, and ignorance of things of vse not in vse.

Baily. You speake also of Fures, I take that to be no good fuelle, but to brew or bake withall, it maketh surely a flame as doth stubble or straw.

Survey. Yes: it is good fire-wood in Devonshire and Cornwall, where they make great profit in venting it for that vse, in many the greatest townes, and in Excester especially.

Baily. Then are they better then our ordinary Fures about vs.

Survey.

517. The Country people do call them French Farres, they haue a verie great stalke, and grow very high, & their prickle verie strong: but that they grow thickes, and the bodie is commonly bare to the toppe, where is onely a green bush of the tender and small branches, and seldom elsewhere, so that they easly make them into faggots, and so vent them.

518. VVhether is there within the Manner any ~~stone~~^{slate} stones for tiling, red or blacke Lend; or Oker for Marking stones; vouch used agayn all thid rooddy bens: to dosse

These kind of ~~slate~~^{stone} stones are full in Cornwall, and the Marking stones most about Dartmunt, & these parts toward

ward, as are also milstones about the Parke.

519. VVhat Deere hath the Lord of this Manner in Deere. his Parke, red and fallow: how many of Antler, and how many rascall who is Keeper, and what is his Fee by yeare: whether hath he any Warren of Conies, or Hares, who is the Keeper of either of them, and what Fee hath hee by yeare, and what were the Parke worth by acre to bee let by yeare, if the Deere were destroyed, and how many Acres is there within the pale?

520. A Parke for Deere is more for the pleasure then for the profit of the Lord, or Common wealth, and yet fit that Princes and men of worlsh shoulde maintaine them as their pleasures, yet not so fit, that every man that listeth shoulde maintaine that game, for his priuate pleasure, that deprineth a Common wealth of more necessarie commodities. But men of late are grown more considerate, and haue dissparked much of this kind of ground, and converted it to better uses. As for Warrens of Conies, they are not unnecessarie, and they require no rich Conies. ground to feed in, but meane pasture and craggy groundes are fittest

adling
vng
.1.1.1.1.1.

Slate stones
Marking
stones.

adling
vng
.1.1.1.1.1.

adling
vng
.1.1.1.1.1.

fittest for them : It is therefore on the discretion of a good and discreete Surveyor, to aduise his Lord how to dispose of these things for his best advantage : And in craggie and unprofitable grounds to keepe Goates.

Reprises
and pay-
ment.

*to all the parts
yntended
whereof*

33. VVhat pensions, portions, payments, or fees are, or ought to bee yeerely paid out of this Mannor : to whom are they payd, and for what, and what rent or annuite is there payed, or bught yeerely to bee payd out of my Mannor, or by any person, vnto the Lord of this Mannor : and whether hath the same been duely payed, or discontinued : what is the annuite or rent, by whome ought it to bee paid, for what thing, and how long hath it been discontinued.

These things are verie dely to be examined, both which goe out of a Mannor ; or bee payed to a Mannor ; although in many places they be much neglected, and in calling for, I confesse, but if such payments bee denied, the Lord, wherein such things are due, can hardly say or know, for what, or in consideration whereof they are due : and by that meane men lose their right, both of the payment, and sometimes of the land, if it exceed, yea, whole Mannors somtimes.

Faires.
Markets.

34. VVhether is there within this Mannor any Market weekly, or Faire at any time of the yeere kept, on what day or dayes, who hath the toll and profits of the same, and what is it, or may it bee worth vnto the Lord by the yeere, whether in his own hands, or let to farme, and for what rent.

Pawnage.

Faires and Markets are commonly by Patent from the King. 35. Whether doth the Lord, or may hee take in any swaine to pawnage yeerly into his Parke or woods, what is the pawnage worth by yeere.

Bayly. Sir, you neede little to enquire of that, for Okes and Beech that haue binne formerly very famous in many parts

parts of this Kingdome, haue felling the Manners benish, are fallen to the ground and gone, & their places are scarce-
ly knowne where they stood. Jam leges est ubi quietus erat.

Sir. It is verie true: and it is pitie, that Lords of Man-
nors haue no more care of their posterities. For assur-
edly there will bee greater want of timber in time to
come in this Realme, then may bee supplyed with little
charge from any part else whatsoeuer. And therefore
might Lords and Farmers easily adde some supply of fu-
ture hope, in setting for euerie 20. Acres of other land,
one acre of Acornes, which wold come to be good tim-
ber in his sonnes age, especially where there is, and like to
bee more want.

Bayly. The course were god, but you preesse too shott a
time farre: for Wikes are slowe of growth, and it wil bee long
as they come to bee timber.

Sir. I knowe in Suffolke, where in twentie yeeres A-
cunes haue yeldded fruit already, neare as high as a stee-
ple of ordinarie height.

Bayly. Truly, it is pitie it were not emprynd to men-
abilitie and land to doe it. But I thinke men imagine,
there wil be timber enough to the end of the world, as many
things else presage it cannot stand long.

36 VVhether hath any of you any *Deedes, Evidences, Court-rolles, Rentals, Sure-rolles, Custom-rolles, Bookes of Survey, Accounts, or any other escripts, or monuments touching or concerning this Mannor.* If you haue any such, produce them at this Court for the Lords vse and ser-
vice: or if you know any that haue any such, deliuere their
names, that the Lord may procure the same.

*Men that haue such are nice in delivering them, but if
they haue them and conceale them, they are no good tenants in
not revealing them.*

37 VWho hath the *aduouisone, nomination, present-
ation and gift of the Parsonage, Vicarage, or Free-chappell*

whereunto

whereunto this Mannor belongeth : or whether is it an *impropriation*, belonging to the Lord of this Mannor, who is incumbent of the Parsonage or Vicarage, or who hath the impropriation in *vise*, & what is it worth by *yeere*.

Some have taken, and set downe a Parsonage or Vicarage to be parcell of a Mannor, but I take it otherwise : for a master of spiritual or Ecclesiastical function cannot be parcel of a secular living. But a Mannor as touching the tisbe, may belong to an Ecclesiastical charge : neither doe I thinke, that an *Impropriation*, though it belong unto the Lord, yet is it not parcel of his Mannors because that ab origine, even from the first institution, it was dedicated to a spirituall office. And although the profits were afterwards disposed to a secular person, yet are not the profits parcell of the Mannor.

38 Who is the Lords Bayl, what is his name, what yearly fee hath he, & whether hath he a Patent for life, or is at the Lords will, and who is *Steward* of the Lords Courts : what is his fee, and whether doth he hold it by patent or at will : who is *woodward*, and what other Officers are there within, or belonging to this Mannor, and what are their fees.

Sundry Mannors haue sundry officers : some of the Lords election and appointment, and some of the Tenants, among whom they are yeerely chosen, as *Hewards*, *Reenes*, &c.

39 Within what *Diocese*, and *Deanrie*, within what *division* and *hundred* lyeth this Mannor : and to what place are you that are the Tenants, vsually called to doe your seruices, to muster, and to shew your Armour, and weapons: and what *Beacons* are you appointed to watch and ward at.

It were a simple part of a Surveyor, if his Lord should
ask

Lords Bay-
ly.

Steward.

Diocese,
hundred,
&c.

ask him these questions, and he shoulde answer, I cannot tell: and yet are they things fit for the Lord, to bee acquainted with, vpon suruey occasions.

What Market Townes are nearest vnto this Man-

Market
Townes.

nor, and what commodities are there especially vented at euery of them.

This is also necessary to be known of the Lord, that dwelleth remote from his Mannors, for many reas ons. Thus much for the charge.

Euery Surueyor is in discretion to order his owne busines, and none is tyed to this method of charge: yet hee must take the substance of these Articles, or such and so many of them, as in his conceit (guided by some foreknowledge of the state of the Mannor which he is to suruey) are fittest to be deliuered unto the Iurie; and withall he is to expalne vnto them the scope and meaning of every Article more at large, then he will give them in the letter. And hauing thus finished the charge, I hold it fit to give the Articles in writing vnto the Iurie, so the end they may answere their knowledges, to euerie of them in writing. And because the Iurie (perchance) cannot so methodically set downe their owne plaine meanings, as is fit to be ingrossed in the Lords booke, the Surueyor must cor rect the former, still keeping himselfe within the compasse of the meaning of the Iurie, and then to reade the same vnto them distinctly, that they may allow or disallow the same: and because they shal haue sufficient time, to consult and deliberate upon every Article, they may haue day giuen them, vntil such time as the Surueyor doth thinke he shall finish the Perambulation, and view of the Mannor in sort as hee intendeth, and then to take their verdict, and accordingly to ingrosse the same together with his owne priuate necessary obserua tions.

Notandum.

Euery Sur uoyor is to vse his owne me thod.

Im-

Immediately after the charge thus ended, the Surveyor is to make proclamation, in the name of the Lord of the Mannor, that every Tenant doe presently produce his *Deeds, copies, leases, and other Evidences*, to the end that the Surveyor and his Clarke may enter them roughly in a booke, and afterward inroll them faire in a booke of Parchment for continuance.

And if any man make default he may finde it by the Catalogue of the names of the Tenants, which he must take at the beginning of the Court, and crosse them as they bring their Evidences to bee entred: the manner of which entries doth briefly follow.

*Bona
land
Mancum.*

*Intrationes omnium & singularium chartarum, Co-
piarum, Indenturarum omniumque aliarum E-
vident, tenentium, ibidem factae tertio die No-
vemb. Anno Regni Domini nostri Iacobi, Da-
gratia, magna Britanniae, Francie & Hibernie
Regis, fidei defensoris, &c. 4. vt sequuntur, viii*

Charte

Charte Liberorum tenentium.

VV. P. de F. in Com. M. Yeoman, per chartam dat. tertio die Martij, Anno regni Henr. 7. secundo, tenet libere sibi & hæredibus suis (if it be intailed, then according to the limitation) ex donat. R. S. vnum mesuagium siue tentm. vocat. Whytlocks, situat. in quadam venella vocat. Potters-street, inter mesuag. R. L. ex. austr. & quandam viam vocat. Loue-lane ex parte Bor. abuttan. super magnam communiam vocat. Hownes Moore in Occiden, & super com. campum, vocat. Beggars Bushfield in Orientem, & continet in longitudine quadrgint. pertic. & in latitudine nouē pertic. & dimid. vnum clm. prati. vocat. Mosse meddow. cont. per estimat. quinque acr. & quinque acr. prat. iac. in commun. prat. vocat. Colliers meade, & tres clausur. terræ arabibilis insimul iacent. vocat. Bathyes, containit in to. per estimat. decem acr. vnum clm. pastur. vocat. Abbots close, iacent. &c. cont. per estimat. tres acr. Quod quidein mesuagium pred. R. S. nuper perquisiuit, de quodam A.B. habend. &c. per redd. vnius libr. Piperis, & per seruic. inde debit. & consuet.

libr. Pipe-
ris.

In hac forma cetera omnes irrotulentur chartæ, secundum particularia in eisdem specificata.

R

Copiae

COPIAE CVSTVMA. riorum Tenentium.

B. C. per cop. Cur. dat. nono die Maii
 An. regni Eliz. ab. 3d. tenet ex sur-
 sum redditione. W. R. vnum tentm. ia-
 cent. in quodam vico vocat. Church-
 street, int. &c. (according to the but-
 tles) & unam clm. terræ voc. Haywood,
 iac. &c. cont. per estimat. duas acr. v-
 num pratum vocat. Deare meade, cont.
 quinque acr. & decem acr. terr. in com.
 campus. Habendum sibi & hered. suis
 ad voluntate Domini secundum consu-
 etudinem Manerii, & dedit Domino pro
 fine 3. pounds, 6.shil.8.pence, & reddit
 per annum.

2 shil.
6. pence

If the estates be for lives, as in the most Mannors in the West, then the entries of the Copies must bee according to the words of the copie: and at the foot of the entrie of euerie copie, it is fit to set downe the ages of the tenant in possession, and of them in reuersion.

Also it behoueth a Surveyor in the entry of all Deeds and Copies, to set downe the names of all mesuages and tenements,

and

and the names of enerie particular close, and parcell of land, as they are set downe in the Copie. And not onely the present tenants name, for two, three, or foure descents, if it be expressed in the copies.

It is a fault in some Stewards, that in making out Copies, doe set onely downe the name of him that surrenders, and the name of him to whome the surrender is made, without further relation of any former tenants name, and do also set downe the mesuage, without setting downe the particular parcels of land belonging unto it, vsing onely generall words, which in all things import incertaintie. whereas, if hee did well, hee shoulde obserue and set downe cuerie parcel both in qualitie and quantitie: namely, what is meadow, pasture, arable, wood, &c. with the principall buttes and bounds, by the Surveyors booke. But for want of true surveys many beneficial things are omitted, and many hurtfull committed.

De intratione dimissionum, siue Indenturarum, in quibus ea quæ sequuntur, obseruanda sunt precipue.

Dies mensis & annus.

Partes, inter quas facta est Indentura.

Consideratio concessionis.

Particularia, que per Indenturam traduntur.

Habendum, cum termino annorum aut vitarum, pro quo aut quibus conceduntur.

Redditus, & tempora solutionis.

Clausula distinctionis, aut foris facture.

Conventiones, & Prouisiones breuiter sed distincte.

Quomodo obligatur ad warrantizandum Concessor, &c.

This suffiseth for the forme of the entrie of Deedes, Copies, and Leales.

Bay. Is this all that is required in the making vp of a booke of Surveye?

Sur. Some think it sufficient to come into a Mannor, and to call the tenants, and to cause them to shew their evidences, and to enter them, and so to giue the Lord a booke of the estates, and thikke they haue done a great worke. Which is as much as if a Caterer should prouide meat, and the Cooke to send it to the table rawe for his Lord to eate. The Caterers office doth as much towards the Lords diet, as the bare knowledge of the estates of a Mannor, doth towards the performing of an absolute Survey. Yet is the Caterers office, a good inducement, and without his prouision the Cooke can doe nothing: and without the knowledge of the estates, a Surveyors trauell is to little purpose.

Bayly. Yet you will enter every mans particular lands againe, will you not? notwithstanding the entring of their Evidentes?

Sur. It must be so, after the view had, and made of all the Mannor.

Bay. What else require you at my hands to be done then at this time? for I perceiue you haue given the Jurie their charge, and limittid them a day to bring in their verdict: and you haue seen and entred all the Deedes, Copies and Leales of the tenants which haue appeared. What will you now doe in the meane time?

Sur. I must now command you (the Lords Bayly) to appoint me some sufficient tenants, to accompanie me in the perambulation and description of the Mannor.

Bayly. What will you make a plot of the Mannor?

Sur. It is verie expedient and necessarie for many eas-
es,

Tenants
must ac-
companie
the Sur-
veyor in his
perambu-
lation.

ses, which I shewed you in our first conference.

Bayly. Will you doe it by instrument?

A plot of a
Mannor
necessary.

Sur. Yea.

Bayly. Then you neede the leste helpe, for you will vs no
chaine.

Sur. I wil, and it behoueth to vse the chaine, notwithstanding
the instrument.

Bay. I haue heard some of your profession say, they could
plot out a Mannor, and neuer vs line or chaine, with the in-
strument.

Sur. A Painter can by his art delineare the proportion
of any creature, without vsing perspective glasse, or a
compasse, euen by the eye and serious obseruation: so
may a man, hauing the true vse of any topographicall in-
strument by rules geometricall, describe a Mannor in a
kind of forme, without line or chaine, or other measure.
But if he will say he doth, or that he can truly delineare
a Mannor with al the members, as every street, high-way,
lane, riuer, hedge, ditch, close, and field, in forme with true
curvings, angles, lengths, and breadths, so that by the
plot which he so maketh, a stranger by scale and compas
may truly finde the quantities of the particulars, I will
then say he is a rare bird, & to be admired, because I must
needs speake as I find, that it is a matter both vnecessary
and vnprofitable: vnecessary, because it is as if a man
should build a house, without pinnis or naile, by ingenu-
ous excellent geometricall conclusions, to magnifie art,
when with more certainty it may be done by the ordina-
ry aid of pins, and nailes: and it is vnprofitable, because it
will require a ten-fold time more the the ordinary course
of the instrument or chaine. And yet when curiositie hath
done all that it can in this behalf, he shall finde (though the
conclusions be true) the worke false.

A booke of
Vaine & glorious
Artists.

Baylie. Then I percelue, there be some vaine-glorious
of your profession: for some haue not stooke of late to write,
and some professe, that they can perfome it truely. I haue
seen one come into a fieldes, and set his instrument in the
middle, or in some part therof, and hath taken vpon him im-
mediatly to say, the content is thus much.

Sur. I haue heard one also to say, he can keepe all the
commandements of God, and erre no iot in any.

Baylie. F're on him that will assume that power, that is
peculiar onely to Christ.

Sur. The like vaine-glorious is hee that so assumeth
vnto himselfe admiration, who may be more admited
for his presumption, then for his truth in performance:
for a peece of ground cannot lie in any such forme, as he
wyth an Instrument at one station can finde the quanti-
tie, though he may aime at it at two stations: but a peece
of land may to lie as he shall erre, let him take as many
stations as he can, and yet he must measure betweene his
first two stations at the least, and toyle himselfe and his
companions, more then if he went the true course of
Arte and Reason.

Baylie. To what you meane by stations, I am not aquainted,
but I hold the plainest way, the truest way in all conclusions,
if Art and Reason bee not against them: and with the
chaine, I percelue, is necessary to bee used with the Instru-
ment, I will prouise you helpe, both for your aide in that to
halfe, and for your information, hoping that you will not be
against me to view your maner of working: and if I an
ake you a question now and then, for my better satisfaction,
you will not be curios in aduising.

Sur. I will not onely not be curios, but I will gladly
impart my poore skill vnto you, if you be willing: and
I will bestow demonstration, if you will affoord atten-
tion and practise.

Bay.

Baylie. What call you this Instrument?

Sir. Some call it the *Plaine Table*.

Baylie. Is there no other Instrument used in plotting
of ground?

Sir. Yes, according as men of skill doe fancie.

Baylie. But which doe you approue most? for as there
be diuers, so men diuersly affect them?

Sir. Affection is often blinde, and it may misleade a
man, but reason seldom or neuer: and therefore he that
can maintaine the credite of that he affecteth by sound
experience and reason, I hold that a fit instrument for his
use: there are but two principall instruments, fit indeede
for the plotting of grounds, and that is this that hath the
name of *a plaine table*, and the *Theodelite* which somtimes
I use also.

Baylie. But I haue seene many, diuers formes of In-
struments, and are they all comprehended vnder these two
names?

Sir. No, they haue sundrie names, but they are all
grounded vpon like principles: and as a man may make
sundry kinds of clockes, one differing in a kinde of forme
from other, and call them by diuers names, yet they are
all founded vpon one ground: and as euery clocke bring-
geth forth like effects, as to strike & to distinguish times;
So these Instruments, though they differ in forme and
name, yet they produce like effects, if they tende to this
part of *Geometry*, which is most principally called *plani-
metry*: namely, the measuring of the length, and bredth
of any thing, as of a Mannor, and of all sorts and formes
of grounds.

Baylie. But I haue heard of an Instrument called a Cir-
cumferentor, which some doe vse about this busnes with high
commendation.

Sir.

As Instru-
ments are
diuers, so
men diuers-
ly affect
them.

All instru-
ments haue
one ground

Planimetria

Sur. It is true, it is a new name giuen to the very *Theodelite*, vsed in a sort otherwise then the *Theodelite*, but not contrary. For as the working vpon the *Theodelite*, is performed by reducing the needle alwaies vpon the point North, as it is marked in the boxe, the *Index* turning to the degree, and poynting out the line of oppositions : So the *Circumferentor* having his *Index* fixed, pointeth to the opposite, and the needle falleth at aduenture vpon some degree marked in the boxe: And the difference is onely in the protraction: for where the one protracteth the worke, by the degrees, found by the fall of the wandring *Index*: so the other protracteth from the degree, wherupon the needle falleth.

Baylie. This differeth as much, as if the bell should strike the hammer to make it strike: where it is more ordinary, that the hammer shold strike the bell: but if the sounds be like certaine, and sensible, it makes no great matter whether doe strike the other. And if either of these instruments will perforne the worke, let men vse whether they list. But I pray you, let vs proceedes in our intended businesse: we haue company sufficient both for your instruction of every mans law, and to aide you to carry the chaine: as for your instrument, I will carry. Is it much materiall where you begin?

where to
begin to de-
scribe a
Mannor.

Sur. Truely no: yet I hold it most fit to begin about the middle of the Mannor, and then to take a course, as the conuenient lying of the land will moue vs, or at one end or side, all is one.

Baylie. Then I thinke here is a conuenient place to begin the businesse: here is a spacious waste, and neare about the middle of the Mannor.

Sur. I pray you then set down your instrument there.

Baily. What will you doe with that paper, Sir?

Sur. I must fasten it vpon the Table; that as I goe, I may draw out the forme of euery particular.

Baylie

Baily. But what is that brasse ruler, that you haue taken
out of the case?

Sur. It is the Index of the plaine Table.

Bayly. Wherefore strike you that line vpon the paper,
throughout the Table, at aduenture?

Sur. It is a meridian line, vpon which, at every station,
as you shall see, I lay the index, obseruing to lay it alwaies alike, least I mistake the North point for the South
and the contrary.

Baylie. Wherefore serueth this great box, and needle vp,
in the middle of the Index.

Sur. It directeth to set the Table alwaies precisely
vpon one point.

Baylie. Must it stand alwaies one way, and direct al-
waies to one point: how then can you find the true curvings
of the angles?

Sur. When the needle of the Index standeth true, as I
take it now it doth looke vpon it.

Baylie. Indeede, it is right ouer the line.

Sur. Then I pray you, let me haue one to goe before
me, alwaies to stand with a marke at every angle.

Baylie. There is one gone.

Sur. I see him: Lo, I stirre not the Table, now it is
truely rectified, and vpon this line I make a pricke, which
is the very station where the instrument is supposed to
stand: and now for this prick, laying the Index hard vnto
it, by the sight of the Index, lay it vnto the marke, which
is set vp in yonder angle, let him not remoue it till I
come to it: and then as you see, I draw a line from the
pricke by the Index as it lyeth truely and firmly to the
marke. Come on with the line. How many stickeſ is it?

Baylie. Sir: it is 25. stickeſ.

Sur. That is 75. pole.

Baylie. Is your chaine thrie pole?

The man-
ner of de-
scribing.

Sur. Yea.

Baylie. Oh Sir, what doe you now with your compasses, that you first laid to your Index, and after to the paper?

Sur. I lay out the true distance, which is from the place where we begun, to the place where the marke standeth.

Baylie. How doe you know whether you strike that line too long, or too short: doe you ayme at it, as a man would divide a thing in divers parts by his eye?

Sur. No, there is in all arts sundry parts, and every part hath his severall practise. A man is not presently a Musician, as soone as he can say his *Gammath*. There are stepes and degrees to euery perfection. But this little note that you take hold of, is not the least of the practise in this faculty.

The use of the scale. Baylie What call you it? For as Arts haue divers parts, so every part hath his severall denomination.

Sur. And this whereof we are now in hand, is called *the use of the scale*.

Baylie. I pray you, if I trouble you not too much, let me see the demonstration.

The deuiding of the scale. *Sur.* You see in this Index divers inches, diversly deuided: one you see, is deuided into 16. equall parts, another into 20. another into 60. these are called scales of ascending, or descending, to a higher or lower computation and extention, according to the number of perches found between station and station. This(as you see) is 75. pole, and the scale or deuided inch, which I haue chosen, is 20. as you see the inch so deuided.

Baylie. But how can you take 75. out of 20. for that you say is your scale?

How to find the number of perches in the scale. *Sur.* I cannot take a greater out of a lesser: therfore you see mee apply my compasses to more inches then one, though some of them be deuided more or lesse, I must conceiue

conceiuie euery ische in the whole index to be 20. Then I lay the one foot of my compasse ouer 3. inches, which maketh 60. then I lacke 15. to make 75. Therefore I set the other foote of my compasse into the scale of 20. and reduce it onely to 15. which 15. and the three inches next adioyning, being imagined 20. a peece, makes 75. And as you see the compasse thus spred, I apply it without altering, to the line, which I drew from the first pricke, and where the other foote of the compasse falleth, there is the second station: namely, the place where this marke standeth.

Baily. Truely Sir, I thanke you, I conceive it well: for I perceiue, I must alwaies account the inches, not as they are in themselues deuided, but every of them 20. And if it be vnder 20. then I must referre mee to the very scale it selfe, which is deuided 20. and take the number out of it: and if it be aboue 20. I must take the next inch or inches to the scale, and take the odde out of the scale it selfe.

Sir. If your suddaine aphrehension haue as strong a retentio[n], you will doe well: but commonly quickest concites doe soonest forget. Therefore must you often chew it in your mind, and apply it to your memorie, and as we passe in this busynesse, you may make some vse of my practise.

Quick con-
cites soone
forget.

Baily. Sir, I thank you.

Sir. VVhat call you this Common?

Baily. Peethat are Tenants, and are sworne, enforne
the Surveyor.

Iuric. Sir, it is called Water-hurst Common.

Sir. So, you that carry the marke, I pray, goe to the next angle, and set vp y^eour marke, and sturre it not till I come. Baily, set downe the instrument againe, heere Where the marke stoode.

Baily. I perceiue you lay the Inder vpon the line again:

and then you turne the Table, till it be by direction of the needle, North and South, as before.

Sur. I doe so.

Baily. But why doe you now lay the Index, and by it looke backe againe?

Sur. Onely to try whether the needle be right: for if the Index from this last pricke, doe fall truely vpon the first station, then may I be bold that I shall make the next angle true.

Baylie.. I haue seene some haue one to stay alwaies behinde at the last place whence you come, and so the Surveyor looks backe to make his next angle.

Sur. Some doe so, but it is more troublesome: for by this kind of working by the needle and the meridian line, a man may make the angles right without any backe opposite.

Baylie. It is farre the better, more easier, and speedier working, as I take it, now you lay the Index to yonder marke before you, and the line that you haue striken from the last pricke, is the line that directeth to it: but because you knowe not yet how many pole it will be, you omit, applying your compasses to the scale, vntill you come to the marke, and know the number of perches.

Sur. I must doe so: now come on with the chaine. How many pole is it in the whole?

Baylie. 37. pole: I see you take almost 2. inches for this number, namely one entire inch, so 20. and 17. parts of the scale of 20. which in the whole maketh 37. and I see truly as 37. is the halfe almost of 75. so is this last line, the answerable halfe of the first, and the angle falleth out in the paper, just like unto the angle of the field. Surely this is a perfect way and I conceive the doing of it very plainly.

Sur. Then we may goe on the faster: for this doth a little hinder our busynesse: but if you thinke fit to aske any question, doe it freely, and I will answere you willingly.

Baylie

Baylie. When I come to any doubt, I will be bold, Sir: now wee haue gone round about the Common of Water-hurst, and you haue closed it vp as rightly like it in forme, as one forme may be made like another: Whither will you goe next.

Sir. Into the next field: What field call' you this?

Iurie. Dre Lease.

Sir. Whose is it?

Iurie. Thomas Turners.

Sir. How doth he hold it?

Iurie. He holds it by Copy of Court roll.

Sir. It is Meddow.

Iurie. Yea, as we call it byland Meddowes.

Baylie. I perceiue you write the names of the Commons and closes you take, and the name of the owners and occupiers, and the qualitie of the ground, and how it is held in every particular close.

Sir. I must of necessarie doe so: for memorie may not be trusted to retaine so many things, as are to be noted in this busynesse.

Baylie. I pray you procede to the rest.

Sir. What riuer call you this?

Baily. Will you haue the names of the riuers too?

Sir. Yea, and the name of every other particular else whatsoeuer: for it is very materiall, whether it be riuer, Brooke, lane, high-way, crosse, tree, pond, hil, hedge, corner, gate, stile, grauell, or sand-pit, meerestones, baulkes, land-shares, or any matter or thing memorable, because they are often mentioned in records, battes, boundaries, deeds, copies, leases, and to distinguish betwene land, and land, Mannor, and Mannor, parish, and parish, and such like.

Baily. Indede, I perceiue it is very materiall to remember them all: this riuer indede is called Otter-brooke, and is indede the bounds betwene this Mannor of Beauland and

The names
of all parti-
culars are
to be set
downe.

the next Mannor.

Sur. VVhat call you the next Mannor, on the other side the riuers?

Baily. The Mannor of Littleton. But will you obserue the names of all the Mannors, that border vpon this Mannor?

Sur. Yea, of necessity, and whose Mannor it is: for it were a simple part in me, to take the circuit of this Mannor, and if the Lord shoulde aske mee what Mannors lay about it, I shoulde answere, I cannot tell: it is fit the Lord shoulde know who were his neighbour Lords, and what Mannors were neare him. VVhose is the Mannor of Littleton?

Baily. The Kings Mannor: and therefore whether you may boldly set it downe, you may be aduised.

Sur. There is no feare, where is no purpose of offence, and in this it is not only not offendisue, but expedient that the true bounds, meeres, and markes of diuision, between Mannor, and Mannor, should be obserued, and set downe, that either may knowe how farre his oynter-tendeth.

Baily. It is I confess, very necessary. But hoire, how will you doe now? here is a great pond, through which you can not measure, how can you finde the bredth of it, that when you come to the other side, you may take the iust distance, for as I conceue, if you shoulde lay it downe by your scale, as you call it, to farre, or to short, you shoulde bring all the land out of rule, making it either too much or too little.

Sur. I perceiue you vnderstand well, for you say truly. Therefore if you obserue what I doe, you shall finde that I will not commit that error much sensible.

Baily. Hoire, I pray you?

Sur. You see how the instrument standeth, truely erected as before, and you see a little Mole-hill vpon the fur-

Confining
Mannors
are to be
noted.

further bancke of the pond: I lay (as you see) the Index vpon it, and take it for my marke just in the middle of it, and from this last station I strike a line at aduenture, in the extention, but truely vpon the marke: then without mouing the instrument, I turne the Index from this station, where the instrument stands, vnto the staffe which the marke-bearer hath set vp yonder, and strike likewise a line to it, as you see: now I measure from this station to the staffe, and I find it is 16. perches, that you see how I take it with my compasses vpon the scale, as I shewed you before, and where the foote of my compasse falleth, there is the place where the staffe standeth. Now see, I rest mine instrument againe, and then I place my Index vpon this place measured vnto, and turne the same vnto the middle of the former Mole-hill, and you see, that the Index doth crosse the first line, and I draw a third from the place of the staffe, to the Mole-hill, and it crosseth it, you see, at this place, then I find that the very point of the crosse lines is the place of the Mole-hill.

Baily. But how know you by this, how farre the riuer or pond is ouer?

Sir. I will tell you presently. Lo, I lay the one foote of the compasse vpon the first station, and the other vp-on the pricke of the Mole-hill: and now marke, I lay the compasse, without stirring the feete, vnto the scale, and as you see, it taketh three inches and a halfe: therefore I lay the compasse so, as the one foot may rest vpon the scale, which I haue chosen, which is the inch deuided into twenty parts, and that, you see, is iust in the middle of the inch, which is ten perches, and the other three whole inches, are twenty a peece: so the whole bredth of the pond is 70. perches, deducting as much on either side, as is be-

tweene the brincke of the pond, and the markes on either side, because I could not plant mine instrument so neare the water, but that some space must be of necessitie betweene.

Bailie. I understand this well: and I see, that by this rule a man may take the distancte of a place farre off, and never measure to it.

Sur. So may you, and to tell how farre distant divers things are one from another, though neither of them be neare you. But for these things, if you couet more instruction, you may referrre you to divers in London, or else where, that are practizers and teachers of these Geometricall conclusions: for now time will not serue vs, neither for me to teach, nor you to vnderstand the things at full, which are required in the Mathematickes, whereof this is but a part.

Bailie. I thankes you so; your present willingnesse: when better your opportunity and leisure will permit you, I will be bold to trouble you further, and I will be thankfull, I wil not now let you: I pray you procede.

Sur. What house is this?

Bailie. These men of the Jury will tell you better than I: for I am but a stranger heere to speake of, and I dare not be too bold to speake either by geste, or by report, of things which must be recorded to passerties.

Sur. You doe better to forbearre, and to be silent indeede, then to speake what may leade vs into error, as many busie and forward fellowes doe, to the hurt sometimes of the Lord, sometimes of the Tenant. And some Surveyor ouer credulous, will take their raw reports for matter of record, and so leave doubts or vnruthes to them that shall come after. But what say you that haue beeene sworne?

Jurie. The name of the house is Fullers: but why it is so called, we cannot tell.

Sur.

They that
informe,
must know
what they
say.

Raw reports
without
knowledge,
are vnfit to
be recorded.
Houses are
called after
the names
of Tenants.

Sir. It is so called (no doubt) of some former tenant of that name : for houses and farmes are oftentimes called after sundry names, according to the varietie of the tenants names: and it is a good course to set down all the ancient names of a farme, because in ancient records, names are found both of farmes, and closes, and such like, that are out of knowledge, for want of the continuall expressing them in their Copies, Deeds, Leales, Rentals, sute Rols, and custome Rols. But whose is the house now?

Jury. It is now in the tenure of William Sands.

Sir. How doth he hold it?

Jury. By Lease for 21. yeares.

Sir. VVhen I come to any of the land that belongeth to this house, let me vnderstand it : for it is conuenient to mention, in setting downe every peece of ground, to what house, farme or tenement it belongeth.

Baylie. Here you are now come to the Lords wood.

Sir. What call you this wood?

Bayly. I take it, it is called Frith-wood.

Sir. It is parcell of the Lords demesnes, is it not?

Jury. It is so, Sir.

Sir. Heere are good timber trees, wee will number them.

Bayly. Number them & how is it possible to number them, they are so many, and stand so thicke?

Sir. I confesse (especially if it bee thicke of bushes and vnderwoods) there is difficultie in numbring them : yet if you will follow my direction, wee will come neare the number.

Baylie. Now, I pray you & wee will all give any ayd we can.

Sir. Then goe you along by this hedge, and when I bid

To number
trees.

bid you stand, stand you still: and let another goe vp this path, and when he comes right against you, let him stand: likewise another must stand here at the end of the wood, and it must not moue, vntill I call him to remoue: and I and my man wil account the nuber of the trees, that are within the square, whiche you three and the corner of the wood doth make. Sirra, goe you along by the hedge, and let your eye be alwaies vpon the trees that are betweene vs, and as you see mee moue, so moue you: and I wil number the trees as I goe. So, now call away the man that stands at the end of the wood, and place them again in another square, and do as before: and so from place to place, tilall the wood be viewed, and the trees numbered.

Bayly. To what end is this? what is the Lord the better, to know the number of the trees?

A Surveyor
should seek
to know the
number of
timber
trees.

Sur. Howsocuer the Lord be pleased to thinke of the seruice, a Surveyor ought to know it, that when he shall be demanded of the Lord, what hee thinketh the wood to be worth to be sold, he may be able to answere it, and giue a reason for that hee saith, and not to speake at random or by gesse, without some ground of reason or proofe. For how can a man value a wood, when hee knowes not what crop it beareth? For a wood may haue an hundred trees in an acre, some woods not twentie, some not fiftie and therfore it were great negligence in a Surveyor, that would passe by a wood of the Lords, and would not take note of the trees, yea, and of the reasonable value of them one with another, that he may readily be able to satisfie the Lord, when he shal demand the Surveyors opinion, though he cannot answere precisely, yet neare.

Bayly. You say truely: But what if there be no trees at all in the wood, as here is a wood adiourning, called Buckes-grove,

that hath the name of a wood, but hath no trees at all?

Sur. Then is it vnderwood, which must be considered in another kind; for there is difference betweene timber trees, and vnderwoods: for an acre of timber trees may be worth forty pounds, and far more, or much lesse, when an acre of vnderwoods cannot lightly exceede fife pounds, and may not be worth twenty shillings. Therefore must the Surveyor bee heedfull, I say, to note what trees are among the vnderwoods, and must also haue skil to judge of the values of the trees: namely, to judge what a tunne of timber, or a load is worth, and how many loades a tree will make. And because this is not alike in all places, he must bee carefull to obserue the plentie or scarfitie, the vse and little vse of timber or fire-wood in the place where he is to deale, and accordingly in discretion to iudge of the values of that hee hath in hand, else may hee deceiue himselfe and his Lord much, if hee prize wood in the field of *Sussex*, as it is worth about *Salisbury plaine*.

Bayly. Sauing your speech, the like is to be considered in the letting and sale of Land.

Sur. It is true: we haue had a good walke betweene these two stations, and a long discourse of woods. But me thinks I see a quarry of very good stone here.

Baylie. Yea Sir, heere is both excellent fre-stone, and god Marble, and as we shall goe, you shall find divers sorts of minerals and earths: which you cannot note vpon your plot, because they are things hidden vnder the earth.

Sur. Yea, but I wil (for so I ought) set down in the plot, the places where euery of these cōmodities are found. But for the matter and substance, and the profite and value, I know the Iurie will bring in, in their verdict: for they are all giuen the in charge, and as I shal find in mine

Difference
between
timber
trees and
vnderwood.

The place
to be con-
sidered.

To note
speciall
places of
profit.

owne opinion, I will likewise compare with the Luries, and so set it downe for the Lords instruction.

Baily. These things are necessarily given in charge. But here is a spill. Sir, will you take note of it vpon your plot?

A good wa-
ter-Mill, an
ornament
to a Man-
nor.

Sur. In any case: for it is not the least ornament of a Mannor, a faire stremme and a well conditioned, and well wrought Mill vpon the same. In whose vse or occupa-
tion is this Mill?

Baily. It is one G. Johnsons.

Sur. By what right?

Baily. Let them of the Jury speake.

Iurie. He holdethit stcely for a pepper corne a yeare. But it was parcell of the Lords demeunesse, but he sold it: and it was a custome Mill very profitable.

Not good
for a Lord
to alien his
custome-
Mill.

Humor and
Necessitie,
two Empe-
tors oppo-
site.

Sur. He that periwaded the Lord to sell away his custome Mill, had little respect to the Lords profit or royltie: the profit comes easily, and the custome confirmeth the antiquitie of the Mannor. And such a member of a Mannor, I would wish none to put away: But humor and necessitie, are two opposite Emperors: the one commands, willeth, and doth what he listeth, the other forced to doe what it would not. And therefore men that may doe what they list, and will doe what they may, if they erre to their owne hurt, are not to be lamented. But they that are constrained to doe what they would not, to their preiudice, I pittie them. But I take it, we haue neere troden the whole Mannor.

Cottages on
the waste.

Baily. Almost indeede. Here are some few closes more, and then an end.

Sur. But here are certaine cottages, me thinks, buil-
ded vpon the Lords waste.

Baily. Yea, but let them passe, neuer meddle with them:

fo;

for they are onely shelter for pore people, and yeld the Lord
little or noe commodity, and therefore spare labour of obser-
ving them.

Sur. Nay, it is a parcell of my taske, I must omit no-
thing, that may enforne or benefite the Lo. d.

Baily. Be it then as you wil.

Sur. What are wee now at an end?

Baily. Wonder corner is the last : for it is the place where
you began in Water-hurst common.

Sur. So : then wee wil retire.

Bailie. What will you then command to be done?

Sur. Cause the Tenants all to appeare, and let the Iuri-
tie bring in the verdict.

Baily. The Tenants are at the Court house, and the Ju-
rie ready with their verdict.

Sur. I will goe with you and take it : call the Iurie by
poll : make proclamation.

Bailie. They all appeare.

Sur. You sworne men of the Court of Survey, haue
you agreed vpon the Articles that were giuen you in
charge , and are you prouided with answere vnto every
of them in writing?

Iury. Yea Sir heere it is fairely written.

Sur. You haue welldone in your endeouours, though
peraduenture, there may be defects in the forme of your
answers , yet if you haue obserued the maine purpose,
which is the seeking out, and the deliuering the truth,
you haue discharged the parts of honest Tenants, and
men fearing God. And because that it may bee, some
things may be omitted , which you may now instantly
call to minde : blush not to declare it heere, before you
be deprived of that you haue written : for this paper I
must haue, and that vnder your hands.

The Iurie
must sub-
cribe their
verdict.

Iurie. What made we set to our hands?

Sur. Because if I erre from it, your hands shall testify against me: if you haue erred, and I erre through you, your hands shall iustifie me.

Iurie. The thing is reasonable, we will subscribe.

Sur. Now will I read the articles of your charge, and to euerie Article your answere, that you may yet correct or addewhat shall bee thought fit, and therefore I pray you listen.

Iury. Read you Sir.

Sur. You agree to all these things willingly, whereunto you haueset your hands.

Iury. We doe so, and doe here confirme it by the delivery theress, by our foreman in the name of vs all, to the behoove of our Lord. And what you else require at our hands, we are readie to performe.

Sur. You doe kindly, and like dutifull Tenants, and be you assured, that your forwardnesse heerein shall not be concealed from the Lord, but with true report of your indeuors for the furthering of the busynesse, which can not but draw a kinde consideration from the Lord againe to you. Which both to gaine for you, and to retaine it, I will truly doe my best: and so for this time, I will leauue to trouble you further, vntill I haue set my other collections, which I haue taken in the perambulation of the Mannor, in soone order, then will I bee bold to trouble you againe, to the end that you may all approue, what is done, whether I haue truly set downe the particulars: namely, the Lords demeisnes, the free, copie, and leased lands, vnder their true names and due owners: if not, that by your helpe I may reforme it, before I ingrosse it, to continue to your children. For what wee doe, will be hereafter a light vnto them that shall come after you:

and

and if it shold be erronious, it wold bee preiudiciale to
your posterities.

Jury. I pray you therefore, let there be an examination,
and we wili gladly giue both our attendance and best ayd to
perfect it.

Bayly. I shall then make an O yes, and adiourne the Court,
untill they haue notice againe.

Sur. Doe so.

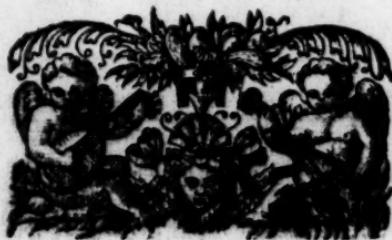
Bayly. You will now keepe your chamber, vntill you haue
made your collections perfect, and cast vp the land.

Sur. I purpose so.

Baylie. I would gladly see the manner of your casting vp
the acres as you doe it: for the rest, I shall see, when you
haue done. For the Juries examination, I will leauie you
all the morning, and then will I come to your chamber.

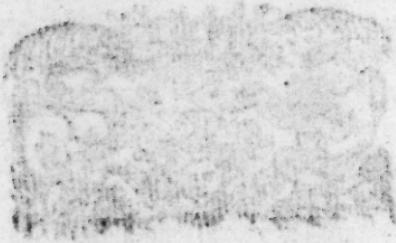
Sur. Do so.

The end of the third Booke.



186
collaboration had been established with the anti-Nazi
resistance movement at the time of the Nazi
invasion of Poland in September 1939. The first
group of anti-Nazi activists, known as the Committee of
the Free City of Danzig, was formed in October 1939.
The group was headed by Dr. Stefan Czapski, a
lawyer and former member of the Polish Parliament.
The group's main task was to provide information
about the Nazi occupation to the Polish government
and to help Polish refugees escape from the
country. The group also organized resistance
activities against the Nazis, including sabotaging
German supply lines and attacking German
military installations. The group was disbanded
in January 1940, after the Nazis arrested its
leaders and members.

3000 B. Birds of the ad P.



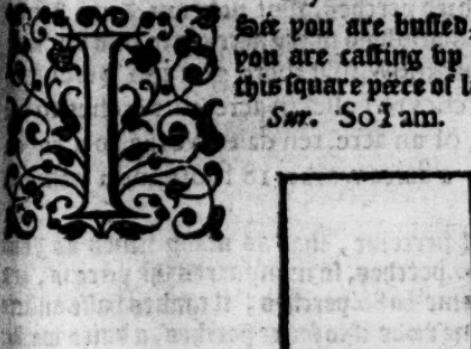


The Surueiors Dialogue, shewing the
maner of casting vp of sundry fashions
of Land, with the Scale and Com-
pass, with Tables of computation
for ease in accompting.

* * *

THE FOVRTH BOOKE.

Baylie.

Here you are bussed, and I perceive
you are casting vp the quantitie of
this square pece of land.

Sur. So I am.

Bay. This,
I take it, is
plain and eas-
ie to be mea-
sured.

Suruey. I
pray let mee
see your skil,

what containeth it?

Baylie. I thinke, if I were vpon the ground, I could tell
you: but vpon the plot I cannot, because I remember, you
me it by your scale. I would gladly see the vse of it, and how
you apply your scale to the perches: and if I saw it once, I
thinke I could then gesse at it. Where is your scale?

V

Sur.

Sur. This that you see like a ruler deuided.



Baily. If you will giue me leauue, and if I trouble you no', I will try how neare I can come to it. I apply the compasse to the one side of the figure of the close, and then letting the compasse stand, I lay the compasse to the scale, and I find it is iust one inch, which is $\frac{1}{2}$ of the whole scale: and as I remember, you made your scale twenty perches to an inch.

Sur. You lay right, and your apprehension is good.

Baily. Then is the one side 20. perches. And hauing laid my compasse to the rest of the sides, I find them twenty of each side. What now is to be done?

Sur. Multiply the one side by the other.

Baily. Then I must say twenty times twenty, that makes foure hundred perches. But now am I at a stand againe, how shall I know how many acres is in this figure?

Sur. You must know, that there goe 160. perches to one acre, 80. perches to halfe an acre, 40. perches to one roode, which is $\frac{1}{4}$ of an acre, ten daies worke to a roode, foure perches to a daies worke, 18. foote and a halfe to a perch.

Baily. Then I perceiue, that as many times as I find 160. perches in 400. perches, so many acres the piece is, and if the ouerplus come to 80. perches, it makes halfe an acre more, if to forty, one roode, if to foure perches, a daies worke: and so according to the odd perches, it maketh parts of an acre.

Sur. You take it rightly.

Baily. Then I deuide 400. by 160. and I find 160. twice in 400. and 80. ouer: so it amounts to two acres and a halfe.

Sur. It is wel done: but I would haue you to obserue a forme in setting downe your quantities: for as the parts are foure, so set them downe in foure collumnes: as for

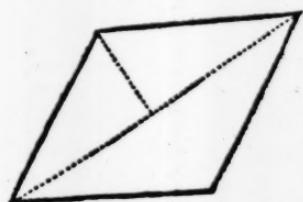
The parts
of an acre.

example

example: 2-2-0-0. the first is acres, the second is roodes,
the third is daies workes, and the fourth perches.

Baylie. I thankē you Sir, I pray let vs see some other
forme.

Sur. This forme following is also a square, let me see
how you will cast it vp.



Baily. I haue laid the
compasse to the sides, as
before, and by the scale,
all the sides are twenty
perches a pece, as were
the first, and so I find no
difference in the quanti-
tity.

Sur. But you shall
find you are in an error: for it is not the length of the
sides that iustifies the quantity: but the angles must bce
considered: for you see there is great difference betweene
the angles of the first figure, and the angles of this: for the
angles of the first are all right angles, but this hath two
sharpe or acute angles, and two blunt or obtuse angles,
which maketh difference in the quantity, though the
sides be equall every way to the former.

Pieces of
equall sides,
may make
vnequall
quantities.

Baylie. I pray you shew me the reason.

Sur. Your eye may discerne there is inequalitie in the
bignesse of these two: but you shall prooue it thus: the
first is a iust square of twenty perches euery way, which
maketh the Area and content as big as possible like sides
may make: but this last, by bending two sides, makes the
two angles vnequall to the other, and must be measured
by drawing a line from the two sharpe angles, and then
raysing a perpendicular from that base, to one of the ob-
tuse equall angles: multiply the base, which is 34. by halfe
the perpendicular, and that maketh in the whole 2-0-0-3.

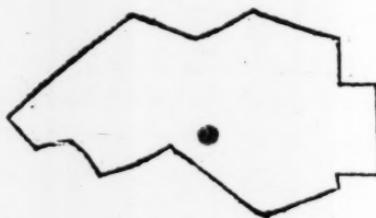
How to cast
vp a triangle

the base seruing to both the perpendiculars being equall.

Baylie. This is almost two parts of an acre lesse then the former. And by this reason there may be a piece of land 20. perches euery side, that shall not containe aboue two parts of an acre.

Sur. It is true.

Baylie. I see in your plot a crooked piece of land to be measured as I take it, and I thinke it be the Lords wood, called Frith-wood.

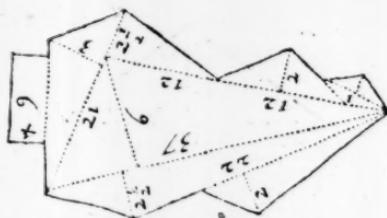


Sur. This is that you see, and it is troublesome to measure indeede : and without a Geometricall instrument, it can very hardly be measured, because there are woods about it, and the wood it selfe thicke of trees and bushes.

Baily. You haue indeed laid it out in his true forme: but it hath so many angles and curvings, that I dare not aduenture to measure it vpon your plot. I pray what course take you in casting vp of such a piece of land?

Sur. The truest course, for that it is so irregular, is, to put it into as many triangles as you conueniently may, making no more then necessarie requireth: and if you can doe this, you may doe any other forme.

Baily. I pray you shew me the manner.



Sir. I will make a demonstration vnto you, and marke it: you see the figure: there are contained within this figure 7. triangles, and one long square: the base of the first triangle is 22. perches, the halfe perpendicular therof is two perches, and that containeth 0.1.0. The second triangle hath his base 37. perches, the halfe perpendicular, two and a halfe, which maketh 0.2.3.1. The third hath the base 37. the halfe perpendicular 6. which maketh 1.1.5.2. The fourth hath the base 21. the perpendicular 3. maketh 0.1.5.3. The fifth is in the base 12.perp. two and a halfe, and maketh 0.0.7.2. The sixth base 12.perp. 2. maketh 0.0.6.0. The long square 6.in length, and 4. in breadth 0.0 6.0. The two last are equall triangles, base 8. perp. 1 and a halfe, 0.0.3.0. All which seuerall summes being added together, doe amount vnto 3.0.8.0.

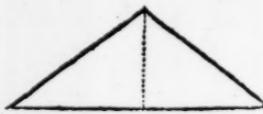
Baily. But which doe you call the base, and which perpendicular lines?

Sir. The longest line in any triangle is the base; and the perpendicular is a line imagined to rise from the base to the obtuse or blunt angle: as in the example following.

Baily. That wh^t is done with prickes, you call the perpendicular, and the lower line, you call the base, as in this figure?

Base & perpendicu-
lar quid.

Base and perpendi-
clar questi
o.s.



Sur. So it is.

Baylie. But how doe you cast by the quantitie, by a triangle thus: you cannot as I take it, by multiplying the base by the perpendicular, finde the content: for it is by that computation, more than indeede the triangle containeth.

Sur. You say true, if you multiply the whole base, by the whole perpendicular: but you must multiply the one, by the halfe of the other.

Baylie. Doe you imagine that the truest measure, is by triangles?

The base
multiplied
by the per-
pendicular.

Triangles
surest mea-
suring.

A circular
forme.

Sur. Yea, where you finde many angles in one field: there are other kinds, and manners of measuring, but this is speedy and certaine.

Baily. How if a pace of land lie directly round? I think you measure it round, and then cast it into a square, as if the circle be fortie perches round, it maketh 10 square.

Sur. Indeed, many vulgar measurers doe vse to measure many sorts of land round, and cast the whole into a square, which is for the most part false. But for a round, and circular peece of land, you must indeede meafure it round, and take the halfe of the number of perches for the length: then take the semidiameter, namely, as many perches, as are from the Center, to the extreame, and multiply the halfe of the circle by the semidiameter. And for a halfe circle, multiply halfe the halfe circuit, by the Semidiameter, and diuide as I shewed you.

Baylie. I thankē you Sir: I kepe you from your busi-
nesse

nesse, yet I pray you let me aske you one question more for my learning: how are hills, and vallies measured?

Sir. There is indeede some difficultie in them, without great industrie: for commonly, hills, and valleys lie very irregularly, sides, heights, and depths, very vnequall. And therefore, to demonstrate any certain rule for these kind of contents, many haue endeuored to do, to whom as vnto vncertainties I refer you: but for such kinde of grounds, there must special diligence be had, in bringing the into certain parts, distinguishing the parts by marks, and so by degrees to bring these parts into a certain content generall, and that vpon the ground: otherwise I see not, how by measuring a whole irregular circuit together, as irregular heights or depths, & applying the numbers to a generall computation, according to the rules of arithmetick, a certaintie may be procured: althoough the rules be true, yet in regard of the inequality of forms, the working may faile, vpon a plain plot, which cannot possibly truly demonstrate the true formes, nor consequently the quantities of vnequall hills and dales.

Bayly. Sir, loath I am to be troublesome vnto you, for that I know you haue much businesse, and the casting vp of particulars of this whole Mannor, will be verie laborious: for to cast vp every particular angle of a ground by arithmetike, will be very tedious.

Sir. But I haue certaine tables of ease, which yeeld more speedier dispatch, then to cast vp every content with the pen.

Baylie. I pray you let me be bold, to craue the sight of those tables.

Sir. I haue set them downe in a little book, and here it is.

Bayly. Werc these of your owne inuention?

Sir.

Measuring.
hills and
valleys.

Irregular
formes
must bee
measured
by regular
parts.

Many rules
or casting
vp contents
benete a
Canon.

Sur. Many haue endeououred seuerall manners and methods of computation: as one *Beneſe* a Canon of *Martin Abbey neere Mecham in Surrey*, who did it by sundry square Tables, increasing by ten, as from one, to ten times ten, from one time twenty, to ten times twenty, and so increasing by ten, vntill he come to an hundred times 120. that is, from one perch to 75. acres.

Baylie. Truly, these are very necessarie tables, is yours in another forme?

Sur. It is in that kind, but it worketh by the increase, from one to twenty times twenty, from one to forty times forty, from one to sixty times sixty, eighty times eighty, &c.

Baylie. This differeth not much from the former, yet I take it to be more ready.

Sur. So it is.

Baylie. Who, I pray you, found out this way first?

Sur. Surely I had certaine papers of that method, of *M. Ran. Agas*, but they were imperfect in the due progression: for they contayned the first, wanting the middle, & some of the end of the Tables: that I haue beeне forced to calculate them since, to make them perfect. But surely his diligence deserues commendation.

Baylie. Did *M. Agas* first contrive them so?

Sur. So I take it, but *M. Valentine Lea*, and *M. Digges* had in manner the like, eucreasing by the multiplication of greater summes: but of all other, I take this to be the most readiest that you see here.

Baylie. Is this the booke, and are these the Tables?

Sur. These are they, but that I haue set them into this forme, because they may the better fall into leaues of a Portable booke, being before in long and troublesome rols, and in another forme lesse convenient,

Randolph
Agas.

Valentine
Lea.
M. Digges.

Table

Tabulae primæ, pars prima. 153

1	2	3	4	5	6	7	8	9	10
1	2	3	3	1	1	2	1	3	1
2	1	1	2	2	2	3	3	2	5
3	2	2	3	3	3	4	2	5	1
4	1	5	6	7	8	9	1	1	1
5	6	1	7	2	8	3	1	1	2
6	9	1	2	3	2	3	2	5	1
7	2	1	4	5	3	7	2	1	1
8	6	2	8	1	3	1	2	2	3
9	1	2	2	3	1	1	1	2	2
10	5								

M

Tabulae

154 Tabulae primæ, pars secunda.

	II	12	13	14	15	16	17	18	19	20
I	2	3	3	3	1	3	2	3	3	4
2	5	2	6	6	2	7	7	2	8	8
3	8	1	9	9	3	2	1	1	2	3
4	1	2	1	1	1	1	6	7	3	1
5	3	3	3	6	1	7	2	8	3	2
6	6	2	8	1	2	1	2	2	4	5
7	9	1	1	2	2	2	6	1	9	3
8	2	4	6	5	8	1	3	2	3	1
9	4	3	7	9	1	1	2	3	6	5
10	2	3	3	2	3	3	1	1	2	1
II	1	3	3	3	3	1	1	1	2	1
12	6	3	9	3	1	1	1	1	1	2
13	1	2	1	5	2	8	1	5	1	2
14	9	1	3	2	6	1	9	2	5	6
15	6	1	6	1	3	2	1	2	7	1
16	4	1	2	8	1	2	1	2	6	5
17	1	2	1	6	2	1	3	2	5	4
18	2	1	1	2	1	1	1	2	1	3
19	1	1	1	1	1	1	1	1	1	2
20	2	1	1	1	1	1	1	1	1	1

Tabula

Tabula secundæ pars prima.

155

	21	22	23	24	25	26	27	28	29	30
1	5	2	5	3	6	6	2	6	3	7
2	2	1	2	1	2	1	1	1	1	2
3	5	3	6	2	7	1	8	3	2	2
4	1	2	3	2	2	2	2	2	2	3
5	6	1	7	2	9	3	1	3	3	3
6	1	2	3	4	3	6	3	2	3	1
7	6	3	8	2	3	1	3	1	1	1
8	1	2	3	4	5	1	2	3	4	2
9	7	1	2	1	3	1	1	1	2	1
10	1	2	3	1	1	2	1	2	1	3
11	7	3	2	1	5	3	1	2	1	2
12	3	1	6	9	2	5	3	1	2	1
13	1	2	3	4	3	2	1	2	1	2
14	3	2	7	3	2	1	4	2	3	2
15	1	3	2	2	2	1	2	1	2	2
16	8	1	2	6	1	1	2	7	1	3
17	2	1	3	2	1	2	2	3	2	3
18	9	3	4	2	1	3	2	3	1	2
19	2	1	2	2	2	3	2	3	1	3
20	5	2	2	3	2	3	3	2	3	3

M 2 Tabu-

136 Tabulæ secundæ pars secunda.

	31	32	33	34	35	36	37	38	39	40
1	7	3 8	3	2 9	2	3 9	9	1 2	2 9	3
2	3	2 5	2	6	2 7	1	7	2 8	1	3
3	3	2 4	2	4	3 5	2	5	2 7	1	7
4	1	3 2	3	3 4	3	5	3	7	3 8	3 1
5	8	3 1	1	2 2	2 3	3 5	1	6	1 7	2 3
6	6	2 8	1	9	2 9	1	3 1	2 4	1 7	1 2
7	1	4	2 6	1	1 1	3	1	2 1	2 4	2 1
8	1	2 1	2	1 5	2 3	1	3 1	3 1	3 1	3 1
9	1	2 3	1	3 1	3 4	2 6	3 2	1 2	2 2	1
10	7	2 1	2	2 2	2	3 2	2 1	1 2	1 2	1 2
11	5	1 2	2	1 2	2 2	1 3	2 1	2 4	2 2	2 3
12	3	1 2	1	2	1 2	2 2	2 4	3 1	3 2	3 3
13	1	2 4	2 2	2 2	2 2	3 2	3 2	1 3	2 5	3
14	8	2 2	3	2 3	3 2	3 2	2 2	2 2	1 6	1 3
15	6	1 1	3	3 3	3 3	1 3	3 1	1 3	2 3	2 3
16	4	3 4	3	4 5	1 3	2 3	2 3	2 4	3 5	3 4
17	1	3 6	1 3	2 3	2 3	2 3	3 3	3 4	4	4
18	9	2 4	3	2 3	3 3	3 4	1 3	4	1 4	1 4
19	7	2 3	3 3	3 4	1 2	1 2	1 3	1 4	2 3	2 3
20	1	3 4	4	4	4	1 4	2 4	2 4	3 4	3 5

Tabu-

Tabulae secundæ, pars tertia. 157

	21	22	23	24	25	26	27	28	29	30
21	2 3 1	3 2 5	3 3 6	3 1 7	3 1 0	3 2 1	3 3 7	3 2 3	3 2 7	3 3 2
22	3 1	3 6	2 2	3 7	2 3	3 8	2 4	3 9	3 2	3 3
23	3 2	3 2	3 3	1 3	2 3	2 3	3 1	4 0	3 2	3 3
24	3 4	2 3	3 6	3 2	3 4	1 8	4 4	4 4	3 4	3 3
25	3 4	3 1	4 2	4 2	4 3	1 5	1 4	2 1	2 1	3 2
26	4 9	4 3	4 9	4 2	4 2	2 8	2 8	2 3	2 3	3 3
27	4 2	2 2	4 9	2 3	2 3	3 3	3 3	3 2	3 2	3 2
28	4 6	3 6	5 3							
29	5 1	2 1	5 7	5 1	5 7	5 1	5 7	5 3	5 3	5 3
30	5 3									

M 3

Tabulae

158 Tabulæ secundæ, pars quarta.

	31	32	33	34	35	36	37	38	39	40
21	2	3	3	4	1	4	2	4	2	5
22	4	2	6	1	4	2	4	2	5	3
23	3	1	4	2	4	2	3	5	5	3
24	6	2	3	3	4	3	5	1	5	3
25	4	3	5	5	5	1	5	2	5	6
26	5	2	5	5	1	5	2	5	3	6
27	1	2	6	4	2	1	7	2	1	3
28	5	1	5	3	5	2	5	0	6	3
29	5	2	5	3	5	6	2	6	3	7
30	4	3	2	9	1	6	3	1	3	2
31	5	3	6	6	1	6	3	7	7	1
32	6	1	6	2	6	3	6	2	6	3
33	6	3	7	2	9	3	7	2	7	8
34	7	7	1	7	2	7	3	8	8	3
35	6	2	5	2	7	3	8	1	8	3
36	8	4	3	8	1	8	3	9	9	1
37	8	3	8	3	8	3	9	1	8	3
38	9	1	9	9	1	9	1	9	9	2
39	9	2	9	1	9	1	9	1	9	3
40										10

Tabula

Tabulæ tertiae, pars prima. 159

	41	42	43	44	45	46	47	48	49	50
I	1 1	1 2	1 3	1 1	1 1	1 2	1 3	1 2	1 3	1 2
2	2 1	2 2	2 3	2 2	2 3	2 1	2 3	2 4	2 3	2 5
3	3 1	3 2	3 3	3 1	3 2	3 5	3 1	3 6	3 7	3 1
4	1 1	1 3	1 4	1 5	1 6	1 7	1 8	1 9	1 1	1 1
5	1 1	1 2	1 3	1 5	1 6	1 7	2 3	1 3	1 3	1 3
6	2 1	2 2	2 3	2 4	2 5	2 7	2 9	2 1	2 3	2 3
7	1 3	3 2	3 3	3 1	3 2	2 3	2 4	2 5	3 7	2 2
8	2 3	2 4	2 5	2 6	2 7	2 8	1 9	1 6	1 8	1 2
9	2 1	2 4	2 5	2 9	1 1	1 1	2 1	1 9	2 2	3 2
10	2 2	2 3	2 2	2 4	3 2	3 2	3 2	3 3	2 2	3 5
II	2 3	3 1	3 2	3 1	3 2	3 0	2 9	1 4	2 7	2 1
12	3 0	3 9	3 2	3 5	3 1	3 0	1 3	2 1	2 3	3 3
13	3 1	3 6	3 9	3 13	3 6	2 9	2 3	3 0	3 9	1 2
14	3 2	3 7	3 2	3 4	3 7	2 1	1 4	2 3	2 5	1 1
15	3 3	3 7	3 1	3 5	3 8	3 2	2 0	1 1	3 7	2 2
16	4 4	4 8	4 0	1 0	4 4	2 4	2 4	2 4	3 4	3 5
17	4 4	4 3	4 2	4 7	4 2	4 1	4 9	3 4	3 3	1 2
18	4 3	4 2	4 3	4 8	3 2	5 2	5 7	1 1	2 6	1 3
19	4 4	3 9	3 4	1 9	5 3	5 9	1 2	2 3	2 8	2 7
20	5 5	5 5	5 5	5 5	5 5	5 5	3 5	3 6	6 6	1 1

M 4 Tabu-

160 *Tabulæ tertiae, pars secunda.*

	51	52	53	54	55	56	57	58	59	60
I	2 3 3	1 3 3	1							
2	3 2 6	2 6 2	2 7 7	2 8 8	2 9 9	2 9 9	2 9 9	2 9 9	2 9 9	3
3	8 1 9	3 9 3	3 9 3	1 2 1	1 2 1	1 2 1	1 2 1	1 2 1	1 2 1	2
4	1 2 1	2 3 2	1 2 1	2 3 2	1 2 1	2 3 2	1 2 1	2 3 2	1 2 1	2
5	3 3 5	5 6 7	2 8 3	3						
6	6 5 8	3 9 2	3 9 2	2 3 1	2 3 1	2 3 1	2 3 1	2 3 1	2 3 1	2
7	2 9 1	2 3 2	1 2 1	2 3 2	1 2 1	2 3 2	1 2 1	2 3 2	1 2 1	2
8	2 2 4	2 5 8	3							
9	2 4 3	2 9 2	3 9 2	3						
10	3 7 2	3 2 5	1 2 5	3 7 2	1 2 5	2 3 4	2 3 4	2 3 4	2 3 4	3
11	3 0 1	3 3 3	2 3 3	2 3 3	2 3 3	3 0 1	3 0 1	3 0 1	3 0 1	4
12	3 3 6	3 9 2	3 3 2	3 3 2	3 3 2	4 5 6	4 5 6	4 5 6	4 5 6	2
13	4 5 3	4 3 9	4 5 3	3						
14	4 8 2	4 5 3	3							
15	4 1 1	4 8 3	4 8 3	4 8 3	4 8 3	5 1 1	5 1 1	5 1 1	5 1 1	2
16	5 4 4	5 9 5	1 5 5	1 5 5	1 5 5	2 5 5	2 5 5	2 5 5	2 5 5	6
17	5 6 3	5 4 4	2 5 3	2 5 3	2 5 3	3 5 3	3 5 3	3 5 3	3 5 3	1
18	5 9 2	5 6 2	3 6 2	6 7 3	6 7 3	6 7 3	6 7 3	6 7 3	6 7 3	3
19	6 3 1	6 1 7	6 2 6	6 3 1	6 3 1	6 3 1	6 3 1	6 3 1	6 3 1	2
20	6 6 5	6 5 5	6 5 5	6 5 5	6 5 5	7 5 5	7 5 5	7 5 5	7 5 5	2

Tabu-

Tabulæ tertiae, pars tertia. 161

	41	42	43	44	45	46	47	48	49	50
21	5 1 1	2 5 1	2 5 1	3 6 1	3 6 1	6 1 2	6 1 2	6 1 2	1 2 2	2 2 2
22	5 3 3	3 6 0	3 6 2	6 7 2	6 7 2	1 8 2	1 8 2	2 9 2	2 9 2	2 6 3
23	5 3 3	6 3 1	6 2 1	1 9 3	1 9 3	2 6 1	2 6 1	3 7 1	3 7 1	7 2
24	6 6 6	6 6 3	1 6 2	6 3 6	3 6 6	3 7 3	7 7 8	7 7 4	7 7 1	7 2
25	6 6 6	1 2 2	6 3 3	6 3 5	7 1 1	7 2 3	7 2 3	2 5 6	2 5 6	7 3 2
26	6 6 6	2 2 2	6 3 2	6 2 6	7 2 2	7 2 2	7 2 2	3 2 3	3 2 3	8 3 5
27	6 6 6	3 3 3	7 2 2	7 1 3	7 2 3	7 2 7	3 7 1	8 1 1	8 1 1	8 1 1
28	7 7 7	7 7 7	7 7 7	2 3 3	8 3 3	8 9 9	8 9 9	1 6 1	1 6 1	8 3 3
29	7 7 7	1 4 2	7 2 3	3 3 9	8 5 1	8 1 1	8 1 1	3 8 5	3 8 5	9 1 2
30	7 7 7	2 5 3	7 3 2	3 2 1	1 2 1	1 2 1	2 2 1	3 9 9	3 9 9	9 1 1
31	7 7 7	3 5 2	8 2 1	1 8 1	2 8 2	3 2 4	9 1 1	1 9 9	1 9 9	1 9 3
32	8 8 8	8 6 4	8 2 2	8 3 2	9 5 3	9 6 1	1 9 1	2 9 2	3 10 3	10 1 1
33	8 8 8	1 6 2	8 3 3	1 3 1	1 9 1	1 9 2	1 9 2	3 6 4	3 6 4	1 2 2
34	8 8 8	2 7 5	8 5 2	9 2 3	9 2 1	9 2 1	9 2 1	3 10 6	3 10 6	10 3 3
35	8 8 8	3 7 2	9 6 2	9 5 3	2 9 3	3 9 1	3 9 1	3 10 8	3 10 8	10 3 3
36	9 9 9	9 8 7	9 2 0	9 0 0	10 1 0	10 1 0	10 1 0	10 3 2	10 3 2	11 1 1
37	9 9 9	1 8 2	9 2 7	10 3 7	10 1 6	10 1 5	10 3 4	3 11 3	3 11 3	11 2 3
38	9 9 9	2 9 8	3 10 8	10 1 8	10 1 7	10 3 7	10 3 6	11 1 5	11 1 5	11 3 5
39	9 9 9	3 10 2	10 1 9	10 1 8	3 11 8	11 1 8	11 1 8	11 2 7	11 2 7	12 1 1
40	10 10 10	10 10 11	10 11 11	11 11 12	11 12 12	11 12 13	11 12 13	12 12 12	12 12 12	12 12 12

Tabulæ

162 Tabulæ tertiae, parsquarta.

	51	52	53	54	55	56	57	58	59	60
21	6 - 3	2 3	6 8	3 1	6 3	3 8	7 3	1 4	7 4	2 9
22	7 2	2 6	7 1	1 2	7 2	2 8	2 3	3 7	3 9	8 4
23	7 3	1 9	7 4	2 3	7 6	3 1	8 2	6 7	1 3	8 5
24	6 2	2 7	3 8	7 4	3 6	8 1	1 6	2 3	8 4	3 9
25	7 8	3 5	8 1	2 7	8 2	2 3	8 5	3 6	9 2	3 5
26	8 1	1 8	8 4	2 1	8 7	3 2	9 2	1 7	9 3	9 2
27	8 4	2 8	3 1	3 1	9 1	1 8	9 4	3 1	2 5	1 5
28	8 7	3 1	9 1	1 8	9 1	2 1	9 2	3 1	10 1	10 2
29	9 9	1 7	9 4	2 1	9 1	3 8	10 3	10 3	10 1	10 3
30	9 2	2 9	3 7	9 5	3 2	10 3	10 7	2 5	11 2	11 2
31	9 5	3 1	10 3	10 1	10 2	10 4	3 1	11 1	11 2	11 5
32	10 8	10 6	1 4	1 2	10 2	3 1	11 8	11 6	11 4	11 2
33	10 3	10 9	2 7	1 1	11 1	1 3	14 2	11 1	11 2	12 1
34	10 3	3 2	11 2	1 2	11 2	1 8	12 6	12 4	12 2	12 3
35	11 6	11 1	11 3	2 3	11 2	3 1	12 8	12 3	12 2	12 1
36	11 9	11 9	2 7	1 6	11 3	2 4	12 3	13 2	13 1	13 2
37	11 1	3 1	12 1	1 9	12 2	2 9	12 3	13 7	13 6	13 5
38	12 7	12 2	12 3	2 3	12 3	3 2	13 1	13 1	13 2	13 3
39	12 7	2 7	12 6	3 6	13 2	13 6	13 3	3 5	14 2	14 2
40	12 7	3 13	13 2	2 3	13 3	14	14 1	14 2	14 3	15

Tabulæ

Tabulæ tertiae, pars quinta. 163

41	42	43	44	45	46	47	48	49	50
41	10 3 1	10 3 2	11 1 3 1	11 2 1	11 3 1	11 3 2	12 3 1	12 3 2	12 3 2
42	11 1 1	11 1 1	11 2 2	11 3 2	12 1 3	12 2 3	12 2 4	12 3 4	12 3 5
43	11 2 3	11 3 1	12 1 2	12 2 3	12 3 4	12 3 5	12 4 5	12 5 6	12 5 7
44	12 1 4	12 1 5	12 2 6	12 2 7	12 3 8	12 3 9	13 1 8	13 1 9	13 1 10
45	12 2 6	12 3 7	12 3 8	12 3 9	13 2 8	13 2 9	13 3 10	13 3 11	14 1 12
46	13 1 9	13 2 9	13 2 10	13 3 10	13 3 11	13 3 12	14 1 11	14 1 12	14 1 13
47	13 3 2	13 4 3	14 1 4	14 2 5	14 2 6	14 2 7	14 3 8	14 3 9	14 3 10
48	14 1 5	14 2 6	14 3 7	14 3 8	14 3 9	15 1 8	15 1 9	15 1 10	
49	15 1 12	15 2 13	15 3 14	15 3 15					
50	15 2 13	15 3 14	15 3 15						

Tabula

	51	52	53	54	55	56	57	58	59	60
41	13 2 3 3	13 3 3 3	13 3 3 3	13 3 3 7	14 3 3 4	14 4 4 4	14 4 4 4	14 4 4 4	15 4 4 3	15 4 4 3
42	13 4 2 6	13 6 6 6	13 3 3 7	14 7 7 7	14 2 8 8	14 3 8 8	14 3 2 9	15 3 2 9	15 1 2 3	15 1 2 3
43	13 8 8	213 19 19	314 9 3	14 21 21	214 13 13	315 12 12	15 313 213	215 313 213	15 215 313	15 215 313
44	14 1 2	14 2 3	14 2 4	14 3 4	15 5 6	15 1 7	15 2 8	15 3 9	16 3 9	16 2 9
45	14 3 3	14 3 6	14 3 7	15 2 8	15 2 9	15 3 1	16 1 1	16 1 2	16 2 3	16 3 5
46	14 6 8	14 9 2	14 9 2	15 3 7	15 3 2	16 3 14	16 2 5	16 2 7	16 3 3	17 1 2
47	14 4 1	15 3 4	15 3 4	15 3 6	16 1 8	16 1 9	16 2 3	17 1 2	17 1 3	17 1 5
48	15 2 2	15 2 6	15 3 8	16 2 8	16 2 2	16 3 17	17 1 6	17 1 8	17 1 9	18 1 8
49	15 4 3	15 3 7	15 9 1	16 2 1	16 3 2	16 3 8	17 1 8	17 1 9	17 3 2	18 1 5
50	15 7 2	16 2 2	16 2 5	16 3 7	17 2 7	17 2 2	17 3 2	18 1 5	18 1 2	18 1 3
51	16 1 3	16 2 3	16 3 8	17 2 1	17 2 4	17 3 6	18 1 3	18 1 2	18 1 5	19 1 4
52	16 6 6	317 9 2	17 2 2	17 3 8	18 1 8	18 1 1	18 2 4	18 3 1	19 1 7	19 2
53	17 3 3	217 15 2	318 28 3	18 2 2	18 3 15	319 18 1	19 2 1	19 2 1	19 2 3	19 3
54	18 9 9	18 2 2	218 6 4	319 2 4	19 2 3	19 2 6	19 3 6	20 1 2	20 1 2	20 1 2
55	18 6 6	319 7 3	19 2 3	19 3 17	19 3 1	19 3 2	20 1 1	20 1 2	20 1 2	20 1 2
56	15 4 4	219 8 8	19 3 2	20 1 6						
57	20 2 2	19 1 6	21 1 6	21 1 5						
58	21 1 1	21 1 5	21 1 2	21 1 3						
59	21 1 1	21 1 5	21 1 4							
									60	21 1 4

Tabulae quartæ, pars prima. 165

	61	62	63	64	65	66	67	68	69	70
1	1	2	3	4	5	6	7	8	9	10
2	3	1	3	2	3	3	3	3	4	3
3	2	2	1	1	3	1	1	1	1	1
4	1	2	1	3	1	2	1	2	1	3
5	1	3	2	1	2	1	2	1	2	2
6	2	1	1	2	1	2	1	2	2	2
7	2	2	2	3	2	3	2	3	3	2
8	1	3	1	3	1	3	1	3	1	3
9	3	1	3	2	3	2	3	2	3	3
10	3	3	3	3	4	3	4	4	3	1
11	4	1	2	4	1	2	4	2	4	3
12	4	2	4	2	4	3	5	1	5	1
13	4	3	1	2	3	0	1	2	1	7
14	5	1	3	5	2	5	2	5	3	6
15	5	2	5	3	6	1	6	1	6	2
16	6	0	6	1	6	2	6	2	6	3
17	6	1	6	2	6	3	7	7	2	7
18	6	3	6	3	7	7	1	7	3	5
19	7	7	1	7	2	7	3	7	8	1
20	7	3	7	3	8	8	8	1	7	3

Tabulae

166 Tabulæ quartæ, pars secunda.

	71	72	73	74	75	76	77	78	79	80
I	7 1	8 3	1 8	1 8	2 8	1 9	1 9	1 9	2 9	3 1
2	5 3	6 2	6 7	3 7	3 8	3 8	3 8	3 9	3 9	2 1
3	1 3	1 4	1 5	1 6	1 7	1 7	7 3	8 2	9 1	2 1
4	1 1	3 2	3 3	3 4	3 5	3 6	3 7	3 8	3 9	3 2
5	2 8	2 3	1 7	2 1	2 2	1 5	1 6	1 7	2 9	3 2
6	2 6	2 8	2 9	2 1	2 2	2 4	3 5	3 6	3 7	3 3
7	3 4	1 6	3 7	3 9	2 1	2 3	1 4	1 5	2 1	3 2
8	3 2	2 4	2 6	2 8	2 3	2 5	2 6	3 1	3 3	3 4
9	3 9	3 2	4 4	1 6	2 8	1 7	1 8	1 9	1 5	2 1
10	1 7	4 2	2 3	2 5	2 7	2 2	3 4	2 5	3 6	3 5
11	1 5	3 8	3 2	3 3	2 6	1 9	1 5	1 6	2 1	3 5
12	1 3	1 6	1 9	1 2	2 5	2 3	2 4	3 5	3 6	3 6
13	5 3	5 4	3 5	3 6	6 7	6 8	6 9	1 1	2 6	3 6
14	6 8	6 2	6 5	6 2	6 9	2 6	2 9	2 1	3 6	3 7
15	6 1	2 9	3 3	3 7	2 1	7 5	7 8	3 2	2 5	1 2
16	7 4	7 9	7 2	7 6	1 7	2 4	7 8	2 2	3 7	3 8
17	7 1	2 3	2 4	3 8	3 2	3 8	8 7	1 1	2 5	3 2
18	7 9	3 2	3 8	1 8	1 8	2 8	2 8	3 1	3 9	3 9
19	8 7	8 12	8 6	2 3	3 8	3 9	9 5	9 3	1 9	1 9
20	8 5	3 9	9 5	9 5	1 9	1 9	2 9	2 9	3 9	3 10

Tabula

Tabulæ quartæ, pars tertia. 167

	61	62	63	64	65	66	67	68	69	70
21	8 1 5 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2	8 1 6 2
22	8 5 2 1	8 6 2 2	8 7 2 3	8 7 2 3	8 9 2 4	9 9 2 4	9 9 2 4	9 9 2 4	9 9 2 4	9 9 2 4
23	8 3 6 2	8 3 6 2	9 8 3 1	9 8 3 1	9 9 2 4	9 9 2 4	9 9 2 4	9 9 2 4	9 9 2 4	10 6 3 2
24	9 6 2 1	9 6 2 1	9 1 4 1	9 1 4 1	9 3 6 2	10 6 2 1	10 6 2 1	10 10 3 4	10 10 3 4	10 10 3 4
25	9 1 2 7	9 2 7 3	10 6 1 5	10 6 1 5	10 12 2 8	10 12 2 8	10 12 2 8	10 1 7 2	10 1 7 2	10 1 7 2
26	9 6 2 3	10 9 2 6	10 2 3 9	10 2 3 9	10 2 3 9	10 5 2 3	11 5 2 3	11 8 2 5	11 8 2 5	11 8 2 5
27	10 7 3 8	10 3 8 2	10 1 2 5	10 1 2 5	10 3 5 8	11 3 5 8	11 3 5 8	11 1 5 3	11 1 5 3	11 1 5 3
28	10 7 4	10 1 1	3 11 1	11 1 1	11 11 2	11 11 2	11 11 2	12 6 3	12 6 3	12 6 3
29	11 2 1 9	11 2 1 9	11 2 1 8	11 2 1 8	11 3 2 9	12 3 2 9	12 3 2 9	12 1 7 2	12 1 7 2	12 1 7 2
30	11 7 2 5	11 2 5 3	12 7 2 5	12 7 2 5	12 1 2 2	12 1 2 2	12 1 2 2	12 7 2 5	12 7 2 5	12 7 2 5
31	11 2 3 3	12 2 3 8	12 1 6 3	12 1 6 3	12 3 2 9	12 3 2 9	12 3 2 9	13 7 4 3	13 7 4 3	13 7 4 3
32	12 8 6	12 6 4	13 2 4	12 3 4	13 8 6	13 8 6	13 8 6	13 2 4	13 2 4	13 2 4
33	13 3 1	12 3 1	12 3 8	13 3 8	13 6 4	13 6 4	13 6 4	14 3 1	14 3 1	14 3 1
34	13 8 2	13 2 7	13 2 4	13 2 4	13 2 1	14 2 1	14 2 1	14 2 1	14 2 1	14 2 1
35	13 3 3	13 2 1	13 3 1	14 3 1	14 8 7	14 8 7	14 8 7	14 3 1	14 3 1	14 3 1
36	13 2 9	13 2 8	13 2 7	14 2 6	14 3 5	14 3 5	14 3 5	15 2 1	15 2 1	15 2 1
37	14 4 1	14 3 1	14 2 2	14 3 1	15 1 1	15 1 1	15 1 1	15 2 1	15 2 1	15 2 1
38	14 0 2	14 0 2	14 3 8	14 3 8	15 7 6	15 7 6	15 7 6	16 5 5	16 5 5	16 5 5
39	14 4 3	15 4 3	15 4 3	15 4 3	15 3 3	16 3 3	16 3 3	16 3 2	16 3 2	16 3 2
40	15 15 15	15 2 15	15 3 16	16 16 16	16 2 16	16 3 17	17 17 17	17 17 2	17 17 2	17 17 2

Tabulæ

168 Tabulæ quartæ, pars quarta.

	71	72	73	74	75	76	77	78	79	80
21	9 2	1 3	9 8	1 1	9 2	2 1	9 1	3 1	9 1	10 3
22	9 3	9 5	3 1	10 2	10 1	10 1	10 1	10 2	10 2	11 3
23	10 9	10 14	10 9	10 3	10 2	10 1	10 7	11 3	11 2	11 2
24	10 6	2 8	10 4	3 4	11 -	11 6	11 2	11 2	11 3	12 1
25	12 3	12 3	11 6	11 1	11 2	11 3	12 1	12 2	12 1	12 2
26	12 1	2 8	11 4	2 1	12 7	12 2	12 1	12 2	12 3	13 1
27	12 9	12 6	12 1	12 3	12 2	12 1	12 3	13 2	13 1	13 2
28	12 7	12 4	12 3	12 3	13 1	13 1	13 1	13 2	13 3	14 1
29	12 4	3 3	13 9	13 1	13 2	13 1	13 3	14 1	14 1	14 2
30	13 2	13 2	13 7	13 2	13 3	14 2	14 1	14 2	14 3	15 1
31	13 1	13 3	14 5	14 3	14 2	14 1	14 3	15 1	15 1	15 2
32	14 8	14 6	14 4	14 3	15 1	15 8	15 6	15 1	15 2	16 3
33	14 5	14 3	15 8	15 1	15 2	15 3	15 7	15 1	15 2	16 2
34	15 3	15 2	15 2	15 2	15 3	16 6	16 1	16 2	16 3	17 1
35	15 1	15 8	15 3	15 7	15 2	16 5	16 3	17 1	17 1	17 2
36	15 9	16 8	16 7	16 6	16 5	16 4	17 1	17 2	17 3	18 1
37	16 6	16 5	16 1	17 4	17 2	17 3	17 2	17 3	18 1	18 2
38	16 4	17 3	17 2	17 1	17 2	17 3	18 1	18 2	18 3	19 1
39	17 3	17 2	17 1	18 1	18 1	18 1	18 3	19 1	19 1	19 2
40	17 1	18 3	18 2	18 2	18 3	19	19 1	19 2	19 3	20

Tabulæ

Tabulæ quartæ, pars quinæ. 169

	61	62	63	64	65	66	67	68	69	70
41	15	2	15	3	15	16	1	16	2	16
	1	5	2	5	3	16	1	6	2	16
42	16	2	16	2	16	3	17	1	17	3
	2	1	1	2	2	2	2	1	2	1
43	16	1	16	2	16	3	17	1	17	2
	1	6	2	7	18	1	6	3	9	2
44	16	3	17	1	17	2	17	3	18	1
	2	3	1	3	4	5	6	1	7	4
45	17	1	17	2	17	3	18	1	18	2
	1	7	2	9	3	1	1	3	3	5
46	17	2	17	3	18	1	18	2	18	3
	1	2	3	4	2	6	7	2	9	3
47	17	3	18	1	18	3	19	1	19	2
	3	3	2	1	3	1	3	5	2	7
48	18	1	18	2	18	3	19	1	19	2
	1	4	5	6	8	1	4	5	6	9
49	18	2	18	3	19	1	19	2	20	1
	1	9	2	1	3	4	6	1	8	2
50	19	1	19	2	20	1	20	1	20	2
	2	5	7	2	1	2	5	7	2	1
51	19	1	19	3	20	1	20	2	21	1
	7	3	2	3	1	6	8	1	2	7
52	19	3	20	1	20	3	21	1	21	3
	3	6	9	1	2	1	4	1	7	2
53	20	1	20	2	20	3	21	1	21	2
	1	1	2	4	3	8	1	1	3	7
54	20	2	20	3	21	1	21	2	21	3
	2	7	1	2	4	7	2	1	2	6
55	20	3	21	1	21	2	22	1	22	3
	8	2	3	2	6	1	3	7	3	1
56	21	1	21	2	22	1	22	3	23	1
	4	8	2	5	6	1	4	8	2	6
57	21	2	22	1	22	3	23	1	23	2
	9	1	3	2	7	3	2	1	3	1
58	22	1	22	3	23	1	23	2	23	1
	4	2	9	3	3	4	2	2	7	1
59	22	1	22	3	23	1	23	3	24	1
	9	3	4	2	9	1	4	8	3	1
60	22	3	23	1	23	2	24	1	24	3
	1	5	3	5	2	4	5	3	5	1

N Tabu-

170 Tabulae quartæ, pars sexta.

	71	72	73	74	75	76	77	78	79	80
41	18 7 3	18 8 8	18 8 1	18 8 2	19 3 9	19 2 9	19 2 9	19 3 9	20 2 9	20 2 3
42	18 5 5	18 6 6	19 6 7	19 7 7	19 8 8	19 3 8	19 3 8	20 2 9	20 2 9	21 2
43	19 3 1	19 4 4	19 3 5	19 5 6	20 1 7	20 1 7	20 1 7	20 2 8	21 2 9	21 2
44	19 2 2	19 3 3	20 2 4	20 1 5	20 1 6	20 3 7	21 1 8	21 1 9	21 2 2	22 2
45	19 8 3	20 9 3	20 1 3	20 3 3	21 1 3	21 1 5	21 1 6	21 1 7	21 3 6	22 2
46	20 6 6	20 8 9	20 2 1	21 2 1	21 3 2	21 3 2	22 1 7	22 1 8	22 2 2	23 2
47	20 4 1	21 6 7	21 1 7	22 2 1	22 1 1	22 1 4	22 1 6	22 1 7	22 3 1	23 2
48	21 3 4	21 4 6	21 3 8	22 2 8	22 2 8	22 3 8	23 1 6	23 1 7	23 2 4	24 2
49	21 9 3	22 3 4	22 1 6	22 8 8	23 1 1	23 1 3	23 1 5	23 1 7	24 3 4	24 2
50	22 7 3	22 2 2	22 3 3	23 2 3	23 1 7	23 3 2	24 1 2	24 1 5	24 1 7	25 2
51	22 5 1	22 1 8	22 3 3	23 2 3	23 3 3	24 1 9	24 1 1	24 2 4	24 3 7	25 2
52	23 3 6	23 6 9	23 2 3	24 1 3	24 1 8	24 1 8	25 1 4	25 1 7	25 2 5	26 2
53	23 3 4	23 7 1	24 2 1	24 3 1	25 2 7	25 2 7	25 2 1	25 3 3	26 3 6	26 2
54.	23 8 2	23 2 5	24 1 3	24 2 1	24 3 5	25 2 6	25 2 9	26 1 2	26 1 6	27 2
55	24 6 1	24 3 3	25 1 3	25 1 1	25 1 1	26 1 1	26 1 8	26 1 2	26 3 6	27 2
56	24 4 4	25 8 8	25 2 6	25 3 4	26 1 4	26 1 8	27 1 2	27 1 6	27 2 8	28 2
57	25 1 1	25 3 6	26 1 4	26 1 9	26 2 3	27 1 7	27 1 1	27 3 1	28 3 5	28 2
58	25 9 3	26 3 8	26 3 3	27 1 7	27 2 2	27 2 6	28 1 5	28 1 9	28 2 9	29 2
59	26 7 5	26 1 2	26 5 6	27 1 1	27 2 1	27 2 5	28 1 5	28 1 5	29 2 1	29 2
60	26 5 5	27 5 5	27 3 5	28 3 5	28 2 5	28 2 5	29 1 5	29 1 5	29 2 30	

Tabulae

Tabulæ quartæ, pars septima. 171

61	62	63	64	65	66	67	68	69	70
61	23 1 1 1	23 3 2 2	24 3 6 3	24 1 1 6	24 3 6 2	25 2 1 3	25 3 3 7	25 3 3 7	26 1 3 27
62	24 1 1	24 6 3	24 3 7	25 3 2	25 3 8	25 3 4	26 1 9	26 3 5	27
63	24 3 2	25 3 9	25 2 5	25 3 5	26 1 1	26 3 1	27 3 5	27 3 3	28
64	25 3 4	26 6 6	26 1 6	26 3 8	26 3 8	27 3 4	27 3 8	28 3 8	28
65	26 6 3	26 3 8	27 3 5	27 3 5	27 3 1	27 3 1	28 3 1	28 3 1	28
66	27 9 5	27 5 2	28 3 2	28 3 2	28 1 8	28 1 8	28 1 8	28 1 8	28
67	28 3 2	28 1 9	28 1 9	28 1 9	28 3 5	28 3 5	29 3 3	29 3 3	29
68	28 6 6	28 3 3	28 1 3	28 1 3	29 3 3	29 3 3	29 3 3	29 3 3	29
69	29 1 7	29 1 7	29 1 7	29 1 7	30 1 7	30 1 7	30 1 7	30 1 7	30
70	30 1 5								

N 2

Tabulæ

172 Tabulæ quartæ, pars octauæ.

	71	72	73	74	75	76	77	78	79	80
61	27 3 3	27 8 8	27 3 2	20 2 3	23 9 9	28 4 4	29 19 19	29 1 1	29 30 30	30 3 3
62	27 26	27 1	27 7	28 2	28 2	29 2	29 3	29 2	30 32 2	31 1
63	27 18	326 14	2 4	29 35	29 2	29 17	3 2	30 2	30 31 2	34 1
64	28 6	22 2	329 8	29 4	28 10	30 6	30 2	32 3	33 31 1	34 4
65	28 3	29 3	29 6	210 12	30 29	30 35	3 1	34 1	31 2 2	32 2
66	29 1	29 3	29 4	210 2	30 7	30 24	31 2	31 2	32 32 2	33 3
67	29 9	30 16	2 3	30 34	30 2	34 1	31 3	32 1	32 3 2	33 1
68	30 7	30 4	2 1	31 5	31 1	31 3	32 2	32 1	33 2 2	34 1
69	30 4	31 32	30 9	31 16	32 23	32 31	33 1	33 2	33 24 2	34 1
70	31 3	31 2	31 7	32 24	32 3	32 2	33 1	33 2	34 2	35 2
71	31 6	31 5	32 5	32 21	33 19	33 4	34 6	34 3	35 21 1	35 2
72	32 6	32 4	32 2	33 2	33 3	34 8	34 6	34 4	35 2	36 2
73	33 2	33 1	33 8	34 8	34 17	35 15	35 13	35 13	36 21 3	36 2
74	34 8	34 7	34 2	35 6	35 4	35 2	36 1	36 1	37 1	37 2
75	35 8	35 13	35 13	35 13	35 13	35 13	36 1	36 2	37 1	37 2
76	36 4	36 3	36 3	36 3	36 3	36 3	37 1	37 1	38 1	38 2
77	37 2	37 1	37 1	37 1	37 1	37 1	38 1	38 1	38 1	38 2
78	38 1	38 1	38 1	38 1	38 1	38 1	39 1	39 1	39 1	39 2
79	39 1	39 1	39 1	39 2						
80	40 1									

Bayly.

Say. Surely this is a necessarie booke for hym
that is imployed in matters of great quantitie.
For if it shoulde bee all cast vp with the pen, it
would aske much labour, and waste much paper:
and yet I know, simple Countrey fellowes will *Country*
cast it vp very spedily, euē by their memorizies, by *land measur-*
money; as one penny to a Perch, four perches to vers will cast
a day-worke, ten day-workes one Rodde, four by *memory*.
Rodde one Acre, thre Shillings four pence, is soz,
the pence, and soz Perches, one Rodde, one hen.
vzed & thre score pence, make thirtene Shillings
and four pence, or a Marke of money, and one *Casting* by
hundred and thre score Perches one Acre. So the parts of
that twenty pound makes thirtie Acres, soz money,
pound thre score Acres, a hundred pound one
hundred and fiftie Acres; and so soz. But this
kinde of casting is troublesome, when it riseth to
great portions, and many parcels. And there-
fore soz my part, I could willingly imbrace these
tables for my ease, and leauue this accompt by
money, vnto such as haue not the vse of learning
to ayde their memorizies.

Sir. I haue obserued, that many vnlearned
men haue better and more retentive memorizies,
then haue some Schollers.

Say. So haue I noted, and I know some, that *All Schol-*
Will by memorie do very much, and no doubt, the ivers haue
reason to, because Schollers doe commit their not best me-
memozies to the pen; where such as haue not the moryes,
vse of the pen, must vse the memorie only, which
being fed with continuall pondering the things
they delight in, becomes as a Calender of their
accounts. King Cirus could name al his sondiers Admirable
by memorie. And Pliny reporteth of Memridates, memories of
that hauing vnder his gouernment 22. king, some great
domes, or nations, could speake all their langua- persons.

174 The Surveyors Dialogue.

ges, and understand any tongue without an interpreter. And Scipio could remember the names of the soldiours of all the Romane armie.

*Some would
forget, and
cannot.*

Sur. Vse memory, & haue the vse of memory, either Schollers or vnlearned; if they vse not their memories, they can make little vse of their memories. On the other side, he that imprenteth too many things in his memory, shal, & some haue oftentimes wished, they could not remember so well, & that they had the art of forgetting, to cleare the memory of þ they would not retaine in memory: for many times a fresh & free memorie heapeþ vp so many things in his thought, that it breedeth such cōfusion, that what it should indeed retaine, is oftē confounded with that which it would forget.

Bay. I wish therefore that my memozie could retaine according to occasion, to forget things whereof I haue no necessarie vse, and to rememb̄er things expedient: yet surely, although the thought can apprehend but one obiect at one instant, the memozie may well apprehend and retaine many things. But hit, omitting this, I entreat you to shewe mee the vse of these Tables which you haue shewed me.

*The vse of
the former
Tables.*

Sur. The vse is very plain & easie: propoūd you a nūber of perches, the lēgh & bredth of a grōud.

Bay. If a p̄cēe of ground be in length fiftie two Perches, and in b̄edth twenty sixe, where, and how shall I finde the content in the Tables?

Sur. Looke the third Table, the fourth part of the Table, in the vpper ranke, whereof in the third Collum, you shall finde 52. then looke in the first Collum for 26. then referre your finger and eye towards the right hand, till you come right vnder 52, and that square answeres the content to be thus |⁸|
 |₅|

Bay.

The fourth Booke. 175

Bay. What mean you by making the figures
in the angles of the square?

Sir. Because the 4. angles doe demonstrate the acres & parts of an acre. The vpper angle on the left hand sheweth the Acres, the vpper angle on the right hand, the roodes; the lower angle on the left hand, the day works, and the lower angle on the right hand, the odde perches,

Say. This is very easily. But I see there are no figures in the 2 angles on the right hand, neither above nor below.

Snr. When it falleth so out, that there are none of the denominations found in the number, then his place is left blanke.

Bay. When this abovesaid quantitie is 8. acre
and 5. day-works, which is twenty perches, and
twenty perches is $\frac{1}{2}$ Roode.

Snr. You are right.

Say. Then if the number of perches bee lesse,
I mustiske them in the lesser Tables; if greater,
in the greater.

Sir. You must do so.

Bay. Yet there resteth one scruple in my mind, which if it should happen before I bee resolued, would breed a great doubt, and therefore I am bold to aske it. That is, if the length of a ground be more perches, then is expressed in any of the Tables, how shall I find it, when no Table reacheth so farre?

Sir. You doe well to cast all doubts, If the the quantity, length be more then the tables will yeeld, where- when the of indeed the most is foure score perches: Take number of first 80. perches out of the whole summe, and perches ex- then seeking the bredth in the Table as before is seide any showed, you shall finde the content of that part. table in the Then if the bredth be more then the remanent of booke.

the length, let the bredth bee the length, and the remanent of the length, the bredth. And seeke them likewise in the Tables, and what ariseth of both the numbers, adde together: As for example: A ground is 119. perches in length, and 67. in bredth: the whole length is not in the Tables to bee found: then I find 80. and that is the length, and 67. the bredth, which the Table sheweth to be 33-2-0-0. There remaineth of the whole length 39. which is a lesser number then the bredth; therefore I make 39. the bredth, and 67. the length, which the Table sheweth to bee 16. 1-3-1, which added to the first number 33-2-0-0. maketh in the whole 49-3-3-1.

Say. I see, this Table will serve for the finding of the quantitie of any summe, and I doe understand it well. But I pray you what Table is that you have here?

Sur. A necessarie Table for some purposes. It sheweth how to lay out a iust Acre of land, the length, or bredth being giuen.

Say. In dede it is a necessarie Table: for every man can not vpon the suddaine: for I take, it is very hard without Arithmetick, to lay out a iust acre to every length or bredth.

Sur. This can indeed hardly be done by gesse, it requireth arte.

Say. This is the Table, I pray you shew me the use of it.

Bredth,

Length of an Acre.		
Perches broad,	Perches long, and their parts.	Feete, & their parts.
1	160	
2	80	
3	53 $\frac{1}{4}$	1 $\frac{1}{2}$
4	40	
5	32	
6	26 $\frac{1}{2}$	3
7	22 $\frac{3}{4}$	1 $\frac{11}{12}$
8	20	
9	17 $\frac{3}{4}$	6
10	16	
11	14 $\frac{1}{2}$	9
12	13 $\frac{1}{4}$	1 $\frac{1}{2}$
13	12 $\frac{1}{4}$	1
14	11 $\frac{1}{4}$	3
15	10 $\frac{1}{2}$	3
16	10	
17	9 $\frac{1}{4}$	2 $\frac{7}{12}$
18	8 $\frac{3}{4}$	1
19	8 $\frac{1}{4}$	3
20	8	

Length of an Acre.		
Perches broad,	Perches long, & their parts.	Feete, & their parts.
21	7 $\frac{1}{2}$	2 $\frac{2}{12}$
22	7 $\frac{1}{4}$	$\frac{4}{12}$
23	6 $\frac{3}{4}$	3 $\frac{2}{12}$
24	6 $\frac{1}{2}$	2 $\frac{8}{12}$
25	6 $\frac{1}{4}$	2 $\frac{6}{12}$
26	6	2 $\frac{7}{12}$
27	5 $\frac{3}{4}$	3
28	5 $\frac{1}{2}$	3
29	5 $\frac{1}{4}$	$\frac{4}{12}$
30	5 $\frac{1}{4}$	$\frac{4}{12}$
31	5	2 $\frac{7}{12}$
32	5	
33	4 $\frac{3}{4}$	1 $\frac{8}{12}$
34	4 $\frac{1}{2}$	3 $\frac{4}{12}$
35	4 $\frac{1}{2}$	1 $\frac{2}{12}$
36	4 $\frac{1}{4}$	3 $\frac{2}{12}$
37	4 $\frac{1}{4}$	1 $\frac{3}{12}$
38	4	3 $\frac{5}{12}$
39	4	1 $\frac{8}{12}$
40	4	

SNT.

Bredib.	Length of an Acre.	
Perches broade.	Perches long, and their parts.	Feete, & their parts.
41	3 $\frac{3}{4}$	2 $\frac{7}{12}$
42	3 $\frac{3}{4}$	1 $\frac{1}{3}$
43	3 $\frac{1}{2}$	3 $\frac{7}{12}$
44	3 $\frac{1}{2}$	2 $\frac{1}{4}$
45	3 $\frac{1}{2}$	$\frac{11}{12}$
46	3 $\frac{1}{4}$	3 $\frac{7}{12}$
47	3 $\frac{1}{4}$	2 $\frac{1}{2}$
48	3 $\frac{1}{4}$	1 $\frac{1}{3}$
49	3 $\frac{1}{4}$	$\frac{1}{4}$
50	3	3 $\frac{1}{6}$
51	3	2 $\frac{1}{4}$
52	3	1 $\frac{1}{4}$
53	3	$\frac{1}{3}$
54	2 $\frac{3}{4}$	3 $\frac{5}{12}$
55	2 $\frac{3}{4}$	2 $\frac{7}{12}$
56	2 $\frac{3}{4}$	1 $\frac{9}{12}$
57	2 $\frac{3}{4}$	$\frac{11}{12}$
58	2 $\frac{3}{4}$	$\frac{1}{6}$
59	2 $\frac{1}{2}$	3 $\frac{5}{12}$
60	2 $\frac{1}{2}$	2 $\frac{2}{3}$

Bredib.	Length of an Acre.	
Perches broad.	Perches long, & their parts.	Feete, & their parts.
61	2 $\frac{1}{2}$	2 $\frac{1}{6}$
62	2 $\frac{1}{2}$	1 $\frac{1}{3}$
63	2 $\frac{1}{2}$	$\frac{2}{3}$
64	2 $\frac{1}{2}$	
65	2 $\frac{1}{4}$	3 $\frac{5}{12}$
66	2 $\frac{1}{4}$	2 $\frac{10}{12}$
67	2 $\frac{1}{4}$	2 $\frac{1}{4}$
68	2 $\frac{1}{4}$	1 $\frac{2}{3}$
69	2 $\frac{1}{4}$	1 $\frac{1}{6}$
70	2 $\frac{1}{4}$	$\frac{7}{12}$
71	2 $\frac{1}{4}$	$\frac{1}{12}$
72	2	3 $\frac{2}{3}$
73	2	3 $\frac{1}{4}$
74	2	2 $\frac{2}{3}$
75	2	2 $\frac{2}{6}$
76	2	1 $\frac{2}{3}$
77	2	1 $\frac{1}{3}$
78	2	$\frac{11}{12}$
79	2	$\frac{1}{3}$
80	2	

Sir. The vse of this Table is onely to bee required, when a man is suddenly to set foorth an acre of land lymited in length or bredth, howfar it shall extend. As for example, There is a pece of land containing many acres, and there are to be set out of this 1. 2. 3. 4. or more acres, First, the length must be considered. If the length be 77. perches: finde that in the first Collum of the Table, and right against it, you shall finde the bredth to be two perches, 1. foot, 4. inches, which maketh an acre.

Bay. But where you say, I shall finde the length in the first Collum of the Table, it is in the head of the Collum noted for the bredth.

Sir. It is so indeed: for that Collum may bee reputed to containe both the length and bredth.

Bay. How can that be?

Sir. Vntill the bredth do exceed the length, it may be saide the Collum of bredth. But when the bredth surmounteth the length, the length may be said the bredth.

Bay. I understand you: reason will obserue that, without serious iustraction. But this Table, I see, extendeth but to the length and bredth of one acre: if a man bee occasioned to lay out more, he is as farre to seke, as if he had no Table at all.

Sir. Not so: for if you obserue it, you are to double, treble or quadreble, the length or bredth, as you haue occasion. As for example: *How to lay* If you would lay out 3. Acres, and admit your *one man* length be 48. perches, which to make one Acre, *acres by the isto haue in bredth 3. perches, and a quarter, 1. former Tab foote and foure inches, which thre perches, $\frac{1}{4}$ ble.* *I. foote, and $\frac{1}{3}$* being taken three times, make nine perches, $\frac{3}{4}$ and foure foote. And thus of iengen

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length and breadth, how many Acres soever are to be set out.

Bay. As it is need, this Table may serve by due observation for the laying out of any quantitie, But now Sir, there is one thing which will breed some difficulty: for the difference of the quantitie of Acres, is great in divers Countries, by the custome of the Countreyes: for by the custome of some Countreyes, their measure is 24. fute to the Pole, in some 20. in some 18. and yet the Statute alloweth onely 16 $\frac{1}{2}$ fute.

Sur. You say truely. Yet, when a Surveyor undertake the lay-out the land in any of these, he is to measure it by the standard chaine; that is, by the chaine of 16 $\frac{1}{2}$ fute.

Bay. But the Country people, peraduenture will be obstinate, & will haue the custome measure, because they will haue the content of their land seeme the lesse: and so shall they rent their ground the moe easly, hauling it by the greater measure.

Sur. That is but a conceit that they shal haue it the cheapeſt; for admit that an acre were as big as the Cornish acre, neere 140. Statute Acres: will any man thinke a Lord or his officers ſo ſimple as to grant the ſame, because it hath but the name of an acre, as he would let the Statute Acre? It is nothing to the Lord what measure they take: for he muſt, &c will appoition the price, according to the quantity and qualitie; bee the Acre great or little.

Woodmeſſure. Bay. But woods are alwayes measured with the Pole of 18. fute.

Sur. It is as the Buyer and Seller agreeþ: for there is no ſuch matter decreed by any Statute, neither is any bound of neceſſitie.

Bay,

Perches dy-
uers in di-
uers Coun-
tryes.

A Corniſh
Acre.

The great or
ſmall mea-
ſure all one
to the Lords.

Woodme-
ſure.

Bay. Why is it then in ffe?

Sur. I take it, because in vnderwoods, (for **Why Woods** they are they that are thus measured) for sale they *are measured* haue in many places, sundry void places & galles, red with wherein growtheth little or no wood, or very thin. *the 18. foote* And to supply these defects, the buyer claymeth pole. this supply by measure.

Bay. The difference is but a ffe, and $\frac{1}{2}$ in a pole, which is nothing.

Sur. Yes, it is some thing, for in every $5\frac{1}{2}$ Great difference betwene the Acre, it gayneth aboue an Acre.

Bay. So might I haue bene deceaved. For *tweene the 18. and* truely, I did not thinke it had gott so much. *But I pray whence is the word Acre derived:* $16\frac{1}{2}$ pole.

Sur. As I take it, from the Latine word, *Aetus*. Whence an A deede: a dayes worke of a plowe, in tilling the *Acre taketh name.*

Bay. It may be so. For a plow will syze an Acre a day.

¶ Sur. We reade in I. Sam. 14. 14. that halfe an Acre of land was as much as 2. oxen could plow; And that is it which the Burgundians, & others in France doe call *lournaux*, which I take, is as much as *Ingerum* in Latine, which containeth as much, as two Oxen or Horse can till in a day: in length 240. foote, and in bredth 120. which seemeth neare to agree with our Acre.

Bay. We haue 4. or 5. horses, or 2 or 3. yake of Oren to till an Acre a day, where the former Ingerum hath but 2. But the French haue another *An Arpens*, their kynnes of Acre, which they call an Arpent, or French which amongst them differeth in quantity, as *Acre*, ours doe differ in seuerall kyndes of Poles: And their Arpent is 100. Pole, howsooner the Poles do differ. One Pole they haue, which containeth 23. ffe, and that is called *The Kings Arpent, The kings and Arpens.*

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and bled most in measuring of wood: another of 20 fots, another of $19 \frac{1}{3}$ fots, another of 18. fote. So that in dede, their Arpent both little differ in his severall quantitie, from our Acre.

Sur. I obserue one thing by the way, because you speake of the Kings Arpent in France, and other measures there. I haue seene in ancient Records, and booke of Survey of great antiquitie, which doe shewe, that the Lords demeisnes were measured with a Pole of 20. foote, which was called *maiour mensura*, & the customary by a Pole, called *mensura minor*: which I take to bee but $16 \frac{5}{8}$ foote, though in some places the Tenants claime the 18. foote Pole.

Bay. Then, let me aske you another question: You shall shortly come into a Mannor of my Land-lords, where the Copies doe speake of an Acre ware, or warr: which I never could finde, to heare what it truely meant, nor what quantity it containeth. But the Tenants make good use, in their conceites, of the name: soz under that title, they will carry alway 2. 3. 6. 10. Acres, though they lie in 20. parcels, it is all but an Acre ware: and yet I haue seensome, under that title not 3. Acres of ordinary measure. Howe comes it to passe, thinke you?

Sur. To speake truely, I cannot precisely tell you: for I haue seene the like, especially in Suff. Norff. and Essex: But as I conjecture, it is a meauured acre, as an Acre by warrant, *Acre warre*, an approued Acre: and the true fence being lost by time, they make it like a finger of waxe, to drawe it more or lesse, as will best serue their purpose.

Bay. I haue also seens Land, under the name of Molland, and I haue heard much disputation about the etymony of the word: Some helpe it to be

Maior & minor mensura,

sura.

Molland.

be de Mollendo, of custome grinding at the
Lords mill, sowne otherwise, and leauē it by
certaine.

Sur. There is no difficultie in it; for *Molland Molland*
is vp-land, or high ground, and the contrary is *and Fenland*
Fenland, low ground, a matter ordinary, where they *contrary*.
vse to distinguishe betweene these two kindes. But
we will leauē these ambiguous words, and so take
my leauē, and betake me to my taske.

Bay. Sir, I will not be troublesome unto you;
only, when you haue cast vp your particulars,
and finished your busynesse of this Survey, I wil
bee bold to trouble you againe, to see what every
man holbeth, and the value both of the customa-
ry leased lands, and the Lords demaynes. May
I be so bold?

Sur. It is a thing which I seldom consent vnto; for I must tell you this, he is no true Surveyor *must be se-*
for the Lord, that will make the same knowne to *cret for his*
strangers. I haue undertaken the busynesse for the
Lord, not for strangers: And as he putteth me in
trust, so will I bee secret in these things, & there-
fore I pray you in this pardon me.

Bay. You shew me reason, and I was too rash.
But by your leauē, how shall the Justis giue their
allowance to your doings (as you say, you will
acquaint them with them) vntille you deliuer
every particular plaiynly?

Sur. You must thinke, there are some things
which may be publique, as the names of grounds,
the owners, their estates, buts, bounds, & such like,
& their answers to the Articles; And some things
priuate, & to be concealed, as the quantities, and
supposed yearely values. These are for the Lord.

Bay. I thought I shold haue seene the whole
method of your collections and observations, to
the end, that seeing I haue waded thus farre in-

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to the Art, I might be somewhat instructed, how
to haue marshaled and ingressed my Woke,
when such a wojke were done.

Sir. Every man in that case, may vse his owne
method: yet if you bee desirous to see an exact
course, in that kinde; I must reterre you to the
most commendable worke of Master Valentine
Leigh, whom in that if you imitate, you shal tread
the right way to the marke.

Bay. Then, I shall onely remayne thankfull
vnto you, for your patience, and paynes: and bee
studious euermore, to doe you any seruice.

Sir. I thanke you. I haue a desire to haue
some communication with you, when I haue past
ouer this little worke in hand.

Bay. Willingly, Sir, I will give my diligent
attendance. But I pray you, Sir, in what es-
pecially do you purpose to conferre with me? to
pose me, I feare, whether I haue forgotten that
you taught me.

Sir. Not so; but you being Bayly of this Man-
nor (about which I haue, as you see, taken a seri-
ous perambulation) haue not, as I perswade me,
bene so carefull & prouident for the Lords profit,
as you may: for there bee diuers grounds, which
good and industrious husbandry would be much
bettered, as I will tell you further, at our next lea-
surable meeting. For this time, fare you well.

The end of the fourth Booke.

M. Leas
bookes of
Surveying.



The Surueiors Dialogue, shewing the
different natures of Grounds, how they
may be employed, how they may be
bettered, reformed, and
amended.

* * *

T H E F I F T B O O K E.

Baily.

Perceiue, Sir, you are now at some lea-
 sure, you are walking abrood to take the
 ayre, after your long and tedious sitting,
 and I thinke indeede you are weary.

Sur. I am somewhat wearie: but a
 man that vndertaketh a businesse, must
 apply it, and not be wearie, or at least,
 not seeme to be so.

Baylie. But me thinkes you apply it too hard, you might
 sometimes ease you, and give your selfe to some game for
 recreation.

Sur. They that are idle, may take their pleasures in ga-
 ming: but such as are called to liue by their labors, and
 hane a delight therein, doe (as all men ought) take plea-
 sure, and thinke it a pleasing sport, to get meanes by their
 lawfull labours to liue.

Labour
 that lawful-
 ly gets is a
 game of de-
 lights.

X

Baylie.

Baylie. You say truth indeede : for the olde Prouerbe is,
Dulcis labor cum lucro. But I pray you, whither walke you?

Sur. Into this next peece of ground.

Baylie. Nay, it is an ill ground to walke in: for it is full
of bogges, a very morish plot, ouercome with wiedes, and
indeede, is of no vse.

Sur. I therefore goe to see it, and worthely to attach
you the Lords Baily, of remisnesse and negligent looking
vnto the Lords profite, suffering such a peece of ground
as this, to lye idle and waste, and to foster nothing but
Bogges, Sedges, Flagges, Rushes, and such superfluous
and noysome weedes: where, if it were duly drayned, and
carefully husbanded, it would make good meddow in
short time.

Baylie. I thinke that impossible: for there bee many such
plots you see in this leuell, and in many mens occupations,
and some of them thinke themselues god husbands, I can
tell you: and they see, that it is a matter of difficulty and
charge, and therefore they thinkie, and so doe I, that it is to
no purpose to begin to amend it.

Sur. I thinke they haue more land, then they, or you
haue experience how to conuert to best vse, they their
owne, and you your Lords.

Baylie. If you be so skilfull, I pray tell mee for the Lords
profite, how it may be amended.

Sur. If you be ignorant how to amend it, and simply
desire to learne, it were a fault in mee to conceale from
you the meanes how to doe it. But if you be carelesse or
wilfull, it were good to leau you in your ignorance,
and to informe the Lord of your vnsingesse, that a more
skilfull might take the place.

Baylie. That is the word that you can doe. But I trust I
may be a Baylie god enough, and yet want ene part of that,
which my place requireth to performe.

Sur.

Sur. Euen as well as a horse may be said to trauaile
well enough, and yet lacke one legge.

Baylie. I would be sorie, that comparison shold hold: for
then I could not but confess, that I were a lame Officer, as
there be in other kinds, euen of your owne profession many.
But I am not onely not wilfull, but I am willing to learne:
and I doe not think any man so absolute in his place and
calling, but he may learne some poynt of his function, if at
least he will confess his owne imperfections.

All men
may learne.

Sur. Whether he verbally confess them or not, the
execution wil bewray them, and the world will obserue
them in him by the fruities. And therefore it behoueth
all such as vndertake, and enter into any office or functi-
on, to examine the duties appertaining to such an office:
and finding his fitnesse or vnfittenesse, to performe it, so to
leauue or take, (though few stagger at any:) If his abilitie
be weake, reason and dutie may moue him to seeke ex-
pedient knowledge, least he shame himselfe, and slander
the place he is in, deceiue his master, and wrong the peo-
ple. And therfore I wish you to aske aduice, not onely
in this case, but in all other belonging to your charge.
For as it is commendable to know more and more: so is
it no shame to aske often.

Baylie. I pray you then tell mee, Sir, how must this piece
of ground be handled, to be made meddow (as you say it wil
be made) or good pasture.

Sur. It must be drayned.

Bayly. If that be all, I thinke, I can say it is to little pur-
pose: for I haue made trenches to that end, as you may see
where, and how. But it became little or nothing the better,
and therfore I thinke, cost will be but cast away vpon it.

Sur. It is a true Proverbe: *Ignorance is an enemie to art
and experience.* What you did, it may be, you had good
will to doe the Lord seruice in it: but the course you

Ignorance
enemie to
art.

took, was not in the right kind. It is not enough to make such ditches, as appeareth you haue done, they are too few and too wide. Neither did you rightly obserue the fall of the water.

Bayly. That were hard to be done in such a place as this, where the water hath no fall at all, neither is the water sene much, as you see, but it is the moistnesse of the earth that marrers the land.

Sur. But the moisture comes by water, and the wa-
ter is swallowed vp in this spungie ground, and lyes vn-
seenẽ: yet if you marke it well, you may obserue, which
way it reeles: for as you see, though this plot of ground
be very leuell in appearance, yet if it were tryed by a iust
leuell, it would be found declining towards yonder for-
lorne brooke, which you see is stopt vp with weeds, that
it permitteth not the water conuenient passe. Therefore
the first work is, to rid the Sewer or chiese water-course,
and then shall you see, that the grounds neere the clean-
fed brooke, will become more drie, by the moisture so-
king into the Sewer: then make your other draines: vsing
discretion therein: namely, in cutting them straight, from
the most boggy places, to the maine brooke, euery of
them as it were paralelly: then cut you some other
draines sloping, which may carry the water into these
first draines, which againe will conuey it into the maine.

Baily. You see the ditches that I made, they were broade
enough and deepe, fit to conuey much water, yet they did no
good: can you prescribe a bettter forme?

Sur. Your ditches, for the forme, were too broade,
and (as it seemes) too deepe, and that makes the water to
stand in them, and being broad aboue, and narrow in the
bottome, makes the loose earth to fall in and choake the
ditch. But if you will make profitable draines, you must
first

first obserue, how the water will runne in them: for so will it appeare presently, and to make them as narrow aboue, as at the bottome, which at the most must not bee aboue one foote and a halfe broad, and the crust of the earth will hold, that the earth fall not in againe. So will it in short time make it appearre, that the moisture will decay, and the grounds become more drie: and as it becomes freed of the superfluous moisture: so will the weedes that are nourished by it, beginne to wither as they are depriued of their nouriture, which is too much water, which breedeth too much cold: and too much cold is the life of such weedes as encrease in this ground: and therefore the weedes should be often cut downe in the spring time, and by that meanes they will consume, and better grasse come in their steeede: and the better, if cattle feede the ground, vpon the draining, as bare as may be.

Baylie. But the draines you speake of, may be dangerous for cattle, especially for shéepe and lambes.

Sir. Not, if they be kept alwaies cleansed, and open, that shéepe and cattle may see them: for the bigger sort may steppe ouer them, and the lesser may haue little bridges of the same crust, by vndermining the earth some three or foure foote, that the water may passe vnder.

Baylie. Indeede, if the crust of the earth will beare it, this course is necessary. But there is much land in England lost for want of draining, as the Fennes and low grounds in Lin-
colne-shire, Cambridge-shire, Norfolke, and other places, which I did thinke impossible euer to be made drie, by the art and industry of man. And yet as I heare, much of it is made lately firme ground, by the kill of one Captaine Louell; The Fennes
and by M. William Englebert an excellent Ingenor and others. And truely it is much to their owne commendation, and to the common good of the inhabitants neare. But these
Captaine
Louell.
M. William
Englebert.

Cold ground
breedes
weedes.

Bridges o-
uer draines

groundes are not drained by such meanes as you speake of.

Sur. Indeed, the draines are of vnlke quantity, but like in qualitie: one and the same rule of reason doth worke both the one and the other effect. But to say truly vnto thee, the people of those Countries (especially the poorer sort) where this kind of publique benefite is thus gotten, had rather haue the want by their fathers error, then to reape good, and more plenty by other mens art and charge. And in their conceites they had rather catch a *Pike*, then feede an Oxe.

Baily. They are either very vnwise, or very wilfull. But (no doubt) authoritie is aboue such country wilfulness, and doth or may enorne them, for the Common weale, to consent and yeeld all aide in the businesse. But if they will needs fish and fowle, and refuse rich reliefe, we will leauue them to their wils, till reason in themselues, or compulsion bring them to a more general desire of so great a blessing.

Sur. Let it be so: What *Alders* are in the next ground?

The Alder
tree enemie
to all
groundes.

Baily. They are the Lords to, Sir: but the ground is so rotten, that no cattle can feede in it.

Sur. The *Alder* tree is enemie to all groundes where it growes: for the roote thereof is of that nature, that it draweth to it so much moisture to nourish it selfe, as the ground neere it, is good for no other vse.

Baily. Doe you thinke this ground would be good, if the trees were gone?

Sur. Yes: for commonly the ground is good enough of it selfe, onely it is impaired by this kind of wood: and therefore if the cause were taken away, the effect would die.

Baily. Then will I cause them to be stocke vp.

Sur. Nay, first it behoueth you to consider, whether it

it be expedient or not : for although this tree be not friendly to pasture, meddow, or arable land, yet it yeelds her due commoditie too, without whose aide, in some places, where other wood is scant, men can hardly husband their lands without this. For of it they make many necessarie implements of husbandry, as Ladders, Rayles, Hop-poles, Plow-stuffe, and hancles for many tooles, besides fiering.

The Alder
necessarie
for many
purposes.

Baylie. If it be so commodious, it is not onely not god to stocke them, but expedient to cherish them, and where none are, to plant.

Sur. There is great difference betweene *necessitie* and the *superabundance* of euery necessarie. For *Want*, is a great commaundrer, and enforceth oftentimes: and in many places they desire and search for that, which *Will* in the time of plenty merely neglecteth. And therefore where none of this kind of wood groweth, (the place destitute of other mearies, and fit for this kind of commoditie) *will* may be forced to give place to *occasion*: as in other things.

Necessitie a
commaun-
der.

Baily. I haue heard, that this kind of wood is also god to make the foundations of buildings, in riuers, fennes, and standing waters, as also piles for many purposes in moorish and wet grounds.

Sur. It is true: this kind of wood is of greater continuance in watry places, then any other timber: for it is obserued, that in these places it seldome or neuer rots.

Alder good
to make
piles.

Baily. It loued the water and moisture well in growing, and therefore it brooketh it the better, being laid in it. But I thinke the *Fyri* tree is much of the same nature: for I haue seene ikinde many of them, taken out of the earth in a moorish ground in Shropshire, betwene the Lordships of Oswestrie, and Elsemore, which (as it is supposed) haue lyen in the moist earth euer since the floud, and being daily taken up, the people make walking staues and pikes of them

Fyri-tree
liuen in the
ground
since the
floud.

firme

firme and strong, and vse the chips isteade of candles in poore houles: so fat is the wood to this day, and the smel also strong and sweete.

Sur. I know the place well, where I saw *pales* made of an Oke taken out of the same ground, of the same continuance, firme and strong, blacke as *Ibony*, and might haue fitly beeene employed to better vies: and I take it, that most wood will last long vnder the earth, where it never taketh the open ayre. But the wood now most in vse for the purposes abovesaid, is *Alder* and *Elme*.

Baylie. May a man sow the seedes of the Alder?

Alder hath
no seede.

Sur. It beareth a kind of seede, yet some haue affirmed the contrarie. But the seedes will hardly grow by art, though by nature they may. The branches of the tree and the rootes, are aptest to grow, if they be set so, as the wa-
ter and moisture may be aboue the plant: for it delighteth onely in the moistest grounds. Is not this next close the Lords, called *Broad-meddow*?

Bayly. Tis so: I perceiue you haue a good memorie, being but once, and so long since, vpon the ground.

Meddowes.

Sur. It is most necessarie for a Surveyor to remem-
ber what he hath obserued, and to consider well the na-
tures and qualities of al kinds of grounds, and to informe
the Lord, of the meanes how to better his estate by law-
full meanes, especially in bettering his owne *demeaine*. So shall he the lesse neede to surcharge his Tenants by vn-
charitable exactions. And forasmuch as of all other
grounds, none are (of their owne nature) so profitable,
and lesse chargeable, as meddow grounds, which are al-
waies readie to benefitte the owner, summer and winter, they especially are to be regarded.

Pratum qua
si semper
paratum.

Bayly. That is true indeede, and peraduenture it takes the name of the readinesse: for we call it in Latine *Pratum*, as if it were semper paratum, either with the sleeve for hay, or with

with the pasture to feede:and this meddow wherein we are, is the best meddow that I know:and I thinke,for sweetnesse and burthen,there is not a better in England.

Sur. You doe well to aduaunce the credite of the Lords land, and you speake,I thinke,as you conceiue,because you are not acquainted with the meddowes vpon Douc-banke, in Tan Deane, vpon Seuerne side, Allermore, the Lords meddow, in Crediton, and the meddowes about the welch-poole, and especially a meddow not farre from Salisburie, neere a Bourne vnder the plaine, that beares grasse yearlye aboue ten foote long, though many thinke it incredible, yet it is apparant, that the grasse is commonly sixteene foote long. It is made shorter before cattle can feede on it, and when the cattle haue fed, hogges are made fat with the remnant, namely , with the knots and sappe of the grasse.

Best Meddowes in England

Baylie. This is the straungest thing that euer I heard of, but surely these meddowes are made so good by art, but naturally, I thinke, this may match the best of them.

Sur. Indeede, meddowes very meane by nature, may be made excellent by charge:but they will decay, vntesse they be alwaies reliued. But thele that I speake of, require little or no helpe at the owners hand,only the ayd of these riuers and farr of the hils ouerflowing, doe feede them fat, giues great burden, and verie sweete.

Baylie. These yearly ouerflowings of fat waters after flouds, no doubt, are very beneficial, as appeareth by the annale and yearlye ouerflowing of the riuier Nilus in Egyp̄t, which maketh the adiacent grounds so fat and fruitfull, as they be famous through the world for their fertilitie, and was allotted to Josephs bretheren in Egyp̄t.

Riuers ouer flowing good.
Nilus in Egyp̄t, fol. 34^o
15.

Sur. You speake of a matter wonderfull in the concites of some, that the riuier should so ouerflow in the summer, and yet it never raines in those parts at any time of the yearc.

Y

Baylie.

Baylie. So I haue heard indeede: and that the floods grow in the heate of the yeare about haruest, betwene July, and Sep'tember, with the snow melting, that falleth in the winter time, among the Mountaines.

*The Lauent
and the
Leame.*

Sur. We haue in England matter more strange, as the riuier neere Chichester in Sussex called the *Lauent*, which in the winter is drie, and in the driest Summer full to her bankes: So is the *Leame*: a riuier in Barkelshire, neere Leamourne.

Bournes.

Baylie. That is strange indeede: one studious in naturall Philosophy, could tell the cause of this.

Sur. I take it to be, because they are onely fed with springes, which runne onely when they are at the highest, namely, in the summer when the sunne is highest. And that also is the reason, why many *Bournes* breake out of the earth in sundry places, as we may reade it hath done sometimes neere *Mergate*, in Hartfordshire, corruptly called *Market*, and neere *Croyden* in Surrey, neere Angleton and Patcham in Sussex, and in many other places in this Realme: which breake forth suddenly out of the driest hils, in summer, and run for a time in such abundance, as it would drie many Mils. Not yearly, but in six, eight, or ten yeares.

*Water smel-
ling like vio-
lets.*

*Lewis put-
redo.*

*Sense de-
creased.*

Baylie. Because you speake of Angleton, I can assure you there is a well, that sometimes yeeldeth water, which when you wash your hands with, it smelleth like violets. Some would (no doubt) give much for such excellent water.

Sur. Though the smell be sweete, I hold not the wa-
ter so wholesome: for it is in it selfe, *leuis putredo*, a kind of
putrifaction, which passing lightly by the sense of smel-
ling, deceiueth the sense, which if it tooke a more serious
Note of it, would find it a kind of stincke: as your purest
muske & Ciuet, the more neerer the sense it commeth, &
the more the sense chargeth it selfe with the whole sent,

the

the more lothsome it will prooue. But these are things
comming into our talke by the way:let vs returne to our
matter of meddowes, the cause of whose goodnesse is
the soyle, and ouerflowing, with the most muddy water.

Baylie. No doubt , it is an admirable helpe vnto them:
say, I by small experiance that I haue found, can tell you a
pretty Parador , how say you to this : Boggy and spungie
ground, whereof we discoursed before, though in it owne na-
ture it be too moist, yet, if it be ouerflowed with water often,
it will settle and become firme:which howsoever in my poore
understanding, it would seeme opposite to reason, that water
should helpe watery ground, yet experiance findeth it so.

Sur. All ouerflowing waters doe bring a slimy and
fat substance with them, and leauie it behind them:which
together with the working of the water , through the
spungie ground you speake of, worketh that effect in all
grounds, where it comes.

Baylie. But waters cannot be brought into all kinds of
boggy grounds, nor into all kinds of meddowes.

Sur. No, for there are two sorts of meddowes , low
and moist, and vpland, and drie meddowes, of these kinds
the low is commonly the best:because they are aptest to
receiuе these falling and swelling waters , which for the
most part brings fatnesse with it: and besides it moisten-
neth the ground, and makes the grasse to grow cheere-
full:yet howsoever fat and fruitfull they be , continuall
mowing yearly without intermission , may weaken
them and impaire their goodnesse, and will require some
helpe , vnlesse they be such meddowes as I recommen-
ded vnto you ere while, that are so fed with fat ouerflow-
ing waters, as doe still maintaine them in strength.

Baylie. Then must the vpland meddow, by often and con-
tinuall shering, nedes decay.

Boggie
grounds
helpt by ou-
erflowing.

Two sorts
of med-
dowes

Vpland -
Meddowes
haue but
the name.

Hard to di-
stingis
groundes.

Sur. The vpland meddowes haue but the name of meddowes: for indeede, they are but the best pasture grounds, laid for hay. And to distinguish betweene that kind of meddow and pasture ground, or betweene pasture and arable, is fruulous: for that kind of meddow is most proper'y pasture, and all pasture grounds may be tilled: For when we say arable, it is as much, as if wee said, it is subiect to the plough, or land which may bee plowed: and why then may not a man say, that which is now pasture is arable? that is, conuenient to be tilled. And on the contrarie, that which is now tilled, may bee pasturable: namely, apt to graze, and to feede cattle.

Baylie. You prooue, that it is superfluous in manner, to distinguish the qualities of grounds.

Sur. I confesse, a Surveyor may note the qualitie of euery kind, as he findeth it in the time of his perambulation and view. But peraduenture, the next yeere, he that comes to distinguish them, may enter them cleane contrarie to the former. And therefore it is not amisse, in all such entries, to adde the word (now:)as to say, now tilled, or now pasture, now vsed for meddow: vnflesse it be low meddow alwaies mowne. But he that shall enter a peece of vpland ground, (though it be sometimes mown) vnder the name of meddow, erreth in his entrie. But for that, let all men follow their owne fancies. But because we speake of vpland meddowes, we will accept all mowable grounds in that sense. And of such I will first speake.

*Meddow of
different
natures.* They are either of a clay soyle, and so naturally fat, or stiffe: or a sandy earth enriched and made fat by industrie: and both of these by mowing yearly without intermission, and supply of helpe, may be so impayred, as it will yeeld little benefite to the owner. The nature therefore

sore of euery groūd must be considered: for the vpland & high ground, may be also watrie, and consequently cold and moist, which kind of grounds are generally clay: for a sandy and grauelly ground lying high, and depending, is seldom or neuer found moist by nature, but drie, and consequently hot. So that all vpland grounds are commonly either too cold and moist, or too hot and drie: either of which must haue his severall helpe. For as the constitution of a mans body, is found by the effectes of fatnesse, leanesse, heat, and cold: So doe the earths discouer their natures by their fruit, which nature causeth them to bring forth in infinite kinds, The cold and watry grounds yeeld long, but soure and vnprofitable grasse, rushes, and rancke mosse: which kind of ground must bee cured, if neede require, with draines, but commonly these grounds are of clay: and clay will neuer giue way, or eva-cuation to the water, because the ground is hard and stiffe, contrarie to the open and spungie ground, which is thin and open. And therefore the hottest chalke or lime is best to kill the soure grasse, & vnprofitable mosse. So is cole-dust ashes, and fine drie sand: and chimney foote, if sufficient quantity could be gotten: and after these things thus laid, it is expedient to giue it a tilth or two, and then to let it lie againe, if it be to be vsed for meddow or pasture. And for the other grounds which are hot and drie by nature, the contrarie is to be vsed, by vsing meanes to coole the heate, and to moisten the dri-nesse: and that is, by bestowing some fat and slimy Marle vpon them, which will much cherish and reuive the parched grasse, and kill the hungrie mosse that groweth by the dri-nesse of the earth, as a curse or tetter on the body, by the heate that proceedeth of a salt humor. The natures

of these two kinds of grounds are also found out, whether they be cold and moist, or hot, and drie, by the quantitie, and qualitie of their fruites, as the seasons of the yeare be drie or moist: for that ground that groweth best in a moist yeare, is hot and drie. The clay ground in a moist yeare (if it be not too moist) may be also comforted, because in too drie a yeare, the clay becommeth so

Clay ground

strongly bound, that the tender grasse can hardly make way through the obdurate earth: whereas moderate moisture mollifieth the same, cherisheth the roote, and giues way for the grasse: and if it haue too much moisture, it becommeth so slimy, and the rootes so drenched, as it turneth the grasse into a spirie kinde, and that but short, and by the colde that commeth of the too much moisture, it increaseth rushes abundantly, and thicke mosse: So that it appereth, that the seasons of the yeare doe either helpe or hinder the increase of all kinds of grounds: which the art or industrie of man cannot preuent. For many times the helps, that man vseth to assist and helpe nature, doe hinder it: as where compost & stable soyle is laid vpon a drie ground, reserued for grasse, if a drie yeare followe, the heate of the soile and the drinessse of the yeare, doe so impouerish the grasse, that it yeeldeth the owner lesse increase, then if he had bestowed no soile at all: yet men ought not to be remisse, in soyling their lands: for if it preuaile not in one yeare, they shall find it at another time very profitable:

Helpes intended sometimes hinder.

Bringing of
street water
into ground
profitable.

and for all seasons, I perswade men to make meanes, where it may be done, to induce out of streets, lands, wayes, and ditches, all the water, that by some extraordinarie raine passeth through them, into their grounds, by making some little dam, or barre to draw them into their

their grounds: for the matter which this water bringeth with it, is commonly so rich and fat, as it yeeldeth a mar-vailous refection to all the grounds, high or low, into which it may be brought: which kind of husbandrie is much vsed in Summerfet, Deuon, and Cornwall, to their admir.ble aduantage, and in some other places heere, and there, but not so generally, as in prouidence men might, for a richer experimēt is not neglected.

Baylie. This is a good course, no doubt, in places where it may be put in execution: but as you say, all men are not so prouident, and painefull, which indeade is a great fault, and wherein I my selfe I confesse, haue beeene culpable: but I wil be more carefull as well in that, as in other things, whereof you haue put me in mind. And truely I thinke, there is much p:ositive, wilfully lost in many places by negligence, want of skill, and sparing of some small charge. You haue hitherunto spoken onely of vpland meddow grounds: but you deuided meddowes into two sorte: what say you to the second, namely lowe meddowes: for I haue seene and obserued as great defects in them, by reason of their too often mowing without rest, as may require some consideration how to repaire them: for some of these grounds are as much annoyed by too much moisture, as the vpland with the want of it.

Sur. For the too much moisture, if it be but in the winter season, and continue but vntill the middle or end of Aprill, it doth not onely no harme, but good: for if you marke and obserue it well, you seldome or never see bogges, where the water overflowes, and stands in the winter time. But if it be more permanent, and of a longer stay, there must be meanes vsed for euacuation: for in many places you may perceiue certaine lowe places in meddow grounds: where if the water once take a standing, it will cause the ground to sinke more and more, and therefore that kind of water must be vented betimes: for

How water
doth good
to med-
dowes.

Water how
it may be
hurtfull to
groundes.

for otherwise it killeth the grasse, and makes the place bare in a drie summer, when the water is gone, or else it will cause such a coldnesse to the earth, as it will bring forth more rushnes then grasse. And therefore it must bee a principall care, to haue all riuers, Sewers, and water drains, wel cleansed and scoured, that vpon occasiō, when time requireth, when you will conuey the water from the Meddowes, it may haue a due current, and likewise vpon occasion to stoppe the riuers, to the end the water may overflow at times conuenient.

Mils of too
high a pitch
pen the
water.

Baylie. But estoples of water courses, doe in some places grow by such meanes, as one priuate man or two cannot by force or discretion make remedie. As when Sewers bee common, sometime betwene Lordship and Lordship, parish and parish, or betwene a multitude, among whome it is alwaies seene, some will be peruerse, and wilfull: and hinder the best publique action that is, though the doing of it be never so profitable to them selues, and the omitting, hindrance. Besides thys, you see vpon divers streames Water-mils, which by reason of their high pitch, bare backe the water that should haue cleare passe: so that sundry mens grounds are drowned, euen vntill, and at the time of having. And for the most part, these Mils do appertain to great persons, who rather then they will loose a penny of their profit, will hazard the losse of a pound to poore men. What remedie is there for any of these mischies: s?

Sur. For euery of them the law hath prouided remedie. And the greatest hindrance is either neglect or feare of complaint: and vpon complaint in places, and to persons appointed to reforme neglect or iustice to bee executed, *Lectes or law-daiies, generall Sessions, Commissioners of Sewers, and actions at the common law,* are prouided to right these wrongs: therefore speake no more of this, as matter of impeachment of the grounds, which of them selues

selues, are naturally good or euill. But rather seeke the meanes to better and helpe the ground, which , as you obiect, is weakened by often cutting. When a man obserueth such decay in his meddowe, let it lie some fewe yeares to pasture, and be eaten verielow, it will procure some heat againe. If not , take the fattest earth that may be gotten, and let it lie a yeare if you can, to dissolve, and when it is drie and will crumble small , mingle it with good and well fatted dung, and lay them a while in a heape, vntill they be sufficiently incorporated , which will be in one winter , then carrie it into your meddow about the beginning of March, or before, and then cast it abroad vpon the meddowes, not too thick, nor the clods too great, it will reuive the weakened mould , and make the grasse spring againe very freshly.

How to a-
mend weak-
ened med-
dow.

Baily. I thinke this bee good also for barren pasture.

Sur. It is very excellent for pasture, for hee that will bestow the cost, shall find his recompence in short time. It is worthy the obseruance, though the care , cost , and paine be great.

Baylie. I see in some meddows gaully places, where little or no grasse at all groweth , by reason (as I take it ,) of the too long standing of the water, for such places are commonall low where the water standeth, not having vent to passe away, & therfore meanes must be first made for the euacuation of the water: for the continual standing of the water consumeth the grasse, and makes the place bare, and sinketh it.

Gauly pla-
ces in med-
dowes.

Sur. In such a place therefore, sow in the spring time some hay seed, especially the seed of the clauer grasse, or the grasse hony-suckle, & other seeds that fall out of the finest and purest hay: and in the sowing of it, mingle with it some good earth. But sow not the hony-suckle grasse in too moist a ground , for it liketh it not, therefore you must drayne the place before you sow it.

Clauer-
grasse.

Bayly. Is it not good sometimes to till and sow the meadow grounds?

To till meadow grounds. Sur. Yes, vpon good occasion, as you find by the slender cropp of hay it beareth in a seasonable summer, that the ground begins to faint, as it were vnder the burthen of continual bearing, fallow it, and let it lie a whole summer, and in the fall of the leafe plow it againe, and at the season sow it with pease or fetches, next with wheat, and lastly with fetches and hay dust, laying it as plaine and leuell as you can. Then feede it the next summer, and after that, hayn it and move it, and within a yeere or two, the grasse will be fat sweet and good.

Meadow ground burned. Baylie. I haue scene meadowes, as well as other arable lands, namely, the crust of the earth cut in turffes and burned, and so sowne as aforesaid.

Sur. This kinde of husbandry is neither vsuall nor expedient in al places, especially in meadow grounds, vnlesse the meadowes bee too much ouergrown with mosse, through too much moysture and colde: yet indeede I haue scene it in some part of Shropshire. But I haue thought it rather done for the corne sake, then for reformation of the meadow.

Baily. But I like not this husbandry in any sort, in god meadow grounds.

Sur. You need not feare it, for experience hath found, that it hurteth no kinde of ground. But I leauie every man to his owne fancie.

Meadow most beneficiall. Baily. Surely, I thinke there needs no helpe to god meadow grounds, for it requireth small trauell, and lesse charge and of all grounds (as was layd in the beginning of our speach) it is mest beneficiall.

Sur. Every thing hath his time and course, a growing, a perfection, and decay. And the best ground may bee

over-

ouercharged, the plow, and the sithe will weaken, if there bee no helpe by Art, or Nature: for though nature wake and worke when we sleepe, and are idle, yet it often faileth, when wit and industrie must work and supply what Nature leaueth. And therfore he that hath best medow grounds, if he be a good husband, will obserue how they stand in force, or weaknes, & accordingly indeuor to help the defects: he must neither sleepe for the too much heat in Summer, nor keepe house in Winter for too much cold: but both Winter and Summer giue such attendance and ayd vnto his land, as in discretion he shall find most behouefull: for land is like the body: if it bee not fed with nutriture, and comforted and adorned with the most expedient commodities, it will pine away, and become forlorne, as the minde that hath no rest or recreatiōn, waxeth lumpish and heauy. So that ground that wanteth due disposing and right manurance, waxeth out of kind: euен the best meadowes will become ragged, and full of vnprofitable weedes, if it bee not cut and eaten, some will become too moist, and so growe to bogges; some too dry, and so to a hungrie mosse. And therefore according to the naturall or vrged inclination, men are to endeuer to prepare preseruations, or reformations, namely, to keepe the good in good case, and to bring the euill to a better state. If it be too moist, you must seeke to drie it: if too drie, you must vse means to moysten it.

Land like
the bodie.

Bayly. What if there be such places in a meadow, as neither Art nor charge can conueniently make drie, or fit for grasse, as I know many, and (no doubt) so doe you, which will be vnprofitable, whatsoeuer course be taken, unlesse more charge bee layd vpon it, then it can require?

Sur. In such places the best course is to plant wil-

To plant
Willowes.

lowes red or white, namely, in euery voyd plot of lowe ground that is too moist, & of little vsebut to plant them, as also neere vnto, and in hedge-rowes: for those kindes of willowes are very profitable and little hurtfull and delight most in watry places, where profitable & sweete grasse likes not: They growe speedily, and beare much, and serue for many vses in husbandrie.

Setting of
Willowes.

Baily. In this indeed I can approue your Judgement by mine divine Art and experiance: for about seuen or eight yeres since, I set a certaine number of these kindes of Willow poles, shaped and cut for the purpose, and in deede I cut them and set them in a drie time, for I can tell you, although they loue the water well in their growing, wet is an enemie vnto them being cut from the tree, & in the time of their replanting: some I set in the end of Januarie, some in the beginning of Februarie, when the extremitie of the colde is neere gone. I set some in a meadow by a riuers side, some in a bottome, where the water falleth most in the time of raine, and I set every one of them sise foote asunder, and for thre yeres space I kept them pruned verie carefully: and at this present time they haue heads and branches of verie great burden, euery thre trees neare a load of wood. And I doe not thinke, but euerie five or sixe yeres will afford as much and more: for as the booke of the tree doth increase, the branches will augment in greatness: and this without losse of much ground, or hindrance to the grasse. Nay, I finde that vnder these trees, the grasse is most ranke and fruitfull, not onely by reason of the dropping of the boughes, but by the fall of the leafe in Autumne, as also by the cattell sheltering and shadowing vnder them. And moreover, I haue planted an Ozier hope, (so so they call it in Essex, and in some places an Ozier bed) in a surrounded ground, fit before for no other vse, for the too much moisture and overflowing of it. And to tell you truely, I think, it yieldeþ hym now a greater benefit virely, acre for acre, then a acre of best wheat: and that without any great trauell or charge, and the ordinarie increase seldom sayling.

Ozier hope

Ozier broo-
keth no sha-
dow.

Dne-

Onely I finde, that this kind of treē broketh not the shadew
of any other treē, but delighteth in the open ayre, and in the
sunne beames: so imperiall or fullen is this little plant.
And truly I conceiue, that men that haue such grounds, as
beit this kind of commoditie, come short of god husbands,
if they plant them not.

Sur. You say in this very truly: and it is a great shame
for many capable wits, and able bodies, that they hauing
liuings and leasure, employ neither of them to their vt-
termost profitable ends: for land is giuen to man, to the
end he should till it, manure it, and dresse it: namely, hee
should set, sow, and plant vpon it, and in due discretion to
conuert euery place to his fittest fruite. For I am of op-
inion, that there is no kinde of soile, be it neuer so wilde,
boggy, clay, or sandy, but will yeeld one kind of benefi-
ciall fruit or other.

Baily. Nay, by your leaue, I thinke, the pibbles or beach
stones vpon the sea coast, about Orford Ness in Suff. the Cam-
ber in Sussex, and such like, are god for no vse, especially for
any profitable fruit: for I think, there is no firme soyle with-
in a speares length of some part of the highest of them.

Sur. You speake not now of soyle, you speake of stones,
and yet haue I eaten of good and nourishing fruit grow-
ing euen there, as *pease*, pleasant, wholesome, and good,
growing of their owne accord, neuer set or sowne: but
they differ in the manner of branching onely, the blos-
omes differ not much, but the coddes hang in clusters,
eight, tenne, or twelve in a bunch, and cast as other pease.

Baily. That is strange, that they shold grow where no
firme earth is mere, and without setting or sowing: me
thinks, if they be of any abundance, pore people might make
vse of them, if they be wholesome and not for bidde[n].

Sur. So doe they in the times of dearth and carfitie.

Baily. I haue seene upon these grounds, store of Pewets,
Olives,

All groundes
good for
some vse.

Peaze vp-
on the
beach grow
naturally.

Pewers and
Olives, &c.

Olives, and Cobbes b̄xeede, sowles of great request at most honorable tables.

Sur. So haue I, but to allure them, it is good to strew rushes and grasse vpon the beach, whereon to lay their egges about March, vnlesse there bee store of sea-weeds to serue for that purpose. But for your other sorts of grounds, as boggie, and hot, and sandy grounds, commonly barren, I see not how they may bee employed to any great profit. For the first, namely, your low and spungie grounds, trenched, is good for hoppes, as *Essex*, and *Surrey*, and other places doe find to their profit. The hot and sandy, (omitting graine) is good for *Carret roots*, a beneficial fruit, as at *Orford*, *Ipswich*, and many sea townes in *Suffolke*: as also Inland townes, *Berrie*, *Framingham*, and others in some measure, in the same shire, *Norwick*, and many places in *Norfolke*, *Colchester* in *Essex*, *Fulham*, and other places neere *London*. And it begins to increase in all places of this Realme, where discretion and industrie sivay the mindes of the inhabitants: and I doe not a little maruell, that husbandmen and Farmers doe not imitate this, for their owne families at least, and to sell to their poore neighbours, as in some places they begin, to their great profit. I haue also obserued in many places, where I haue had occasion to trauell, that many croftes, toftes, pingles, pightels, and other small quillits of Land, about farme houses, and tenements, are suffered to lie altogether idle: some ouergrowne with nettles, mallowes, thistles, wilde tezels, and diuers other vnprofitable weedes, which are fat and fertile: where, if the Farmer would vse the meanes, would grow sundry commodities, as *hempe*, and *mustard seede*, both which are so strong enemies to all other superfluous, and vnprofitable weedes

Hoppes.

Carret
roots.

Many waste
ground,
mighty yeeld
prolifie.
Hempe.
Mustard-
seede.

weedes, as they will not suffer any of them to growe where they are sowne. The hempe is of great vse in a Farmers house, as is found in *Suffolke, Norfolke, Sussex, Dorset*, and in many places in *Somerset*, especially about *Burport*, and *Lime*, where the people doe finde by it great aduantage, not onely for cordage for shipping, but also for linnen, and other necessaries about a houfe. So is also the *flaxe*, which is also sowne in many places, where good huswiues endeouour their wits, wils, and hands to that commodious and profitable couſe, and the *flaxe* will like well enough in a more light and gentle, and leaner soyle, then the hempe. And indeede there is not a place so rude, and vnlikely, but diligence and discretion may conuert it to some profitable end : and among many other commodities, I maruell, men are no more forward in planting of *Apple trees, Peare-trees, Crab-stockes*, and such like in their hedges , betweene their fields , as well as in Orchards : a matter praise worthy, and profitable to the planter, and to the common wealth, very beneficiall.

Flax.

Apple trees.

Baily. Indeed, I haue thought vpon this kinde of husbandrie, but I haue biene preuented of mine owne desires by a priedicte conceit, that these fruits would redound little to my benefit, for that I thinke they will be stollen, the hedges troden downe, and the trees broken for the fruits sake.

Sir. Negligence may easily find excuse : but this obiection is friuolous : for I know in *Kent, Worcesterſhire, Shropshire, Glouceſterſhire, Somerset, and Devon.* and many parts in *Wales*, full of this commoditie, euen in their remote hedge-rowes. And although ſome few be lost, ſith the rest come ſo easily, ſo fully, and ſo freely, a good mind will not grudge at a way-faring passenger, taking for his refection,

refection, and to qualifie the heat of his trauell, an apple or a pear : for the remnant will content the well conditioned owner. For I haue knowne, that (all the stolen allowed) the fruit thus dispersedly planted, haue made in some little Farmes, or (as they call them in those parts) *Burgaines*, a tunne, two, three, four e, of *Syder*, and *Perry*, which kinde of drinke resembling white wine, hath without any further supply of ale, or beer, sufficed a good householder and his family , the whole yeere following, and sometimes hath made of the ouerplus twenty nobles, or ten pounds, more or lesse.

Baylie. This surely cannot be but confessed , to bee very beneficiall, both for the private and publicke weale. And I my selfe haue noted, that Mid. in former times, hath had regard to this kind of commoditie: for many Appletrees, Pear trees, Hervire trees, and such like, haue bene planted in the fieldes and hedge-rowes, especially in the North and East part of the shire, as also in the South part of Hartsforshire, which are at this day very beneficiall to the inhabitants, both for their owne vse and reliefe , as also to vent diuers waies at London by the good huswife. But the trees are now for the most part very auncient, and I doe not see such a continuall inclination in the time present, to continue or increase this benefite for the vse of posteritie: neither did I ever know much *Sider* and *Perry* made in these parts , neither doe I thinke they haue sufficient skill or meanes.

Sur. I thinke indeed, little *Sider* is made there, some *Perrie* there is here and there : but more in the West countrey and in *Kent*, a place very fructiferous of that kind offruit.

Bayly. Yet is there not so much *Sider* made , for all the great abundance of fruit, as there might be, but in the *Inland*.

Sur. The reason is, because that neare *London*, and the *Thames*

Syder.
Perry.

Kent.

Thames side, the fruit is vented in kind, not onely to the Fruterers in grosse, but by the country wiues, in the neareſt part of Kent, Middleſex, Eſſex, and Surrey, who vtter them in the markets, as they do al other vendible things else.

Bayly. But aboue all others, I thinke, the Kentiſhmen be moft apt and induſtrious, in planting Orchards with Pippins and Cherries, especially neare the Thames, about Feuerſham, and Sittingburne. And the order of their planting is ſuch, as the ſome delighteth the eye, the fruit the taste, and the walks infinite recreate the body. Besides, the grasse and herbage, notwithstanding the treſes, yeldeth as much benefit, in manner, as if there were no treſes, planted at all, especially for hay.

Sur. It is true: and in mine opinion, many men hauing tenements, and time in them, make not halfe the the proſite, which by due and diſcreet induſtrie they might.

Bayly. Truly I now ſo conceiue it: for you haue in many things, made mee ſee mine owne indiſcretion and negligence: but in many of them feare hath more preuailed with me, then wilfull refuſal. And ſo I thinke it doth in other men, who alſo with my ſelue, are ignorant of many points of prouidence, and god husbandrie: because they are not generaly trauellers to ſee other places, neither hath their breading bene iudicious, but plaine according to a ſlubberd patteſne of ancient ignorance, by which they only ſhape all their courſes, as their Fathers did, neuer putting in practise any new deuife, by the rule of more reaſon. And therefore indeede, we that liue in this age of ignorance and idlenesse, may betake vs to a better course without any diſparagement, if we conforme vs to new and probable precedents, as time and triall will yeld experience. But ſurely, I hold your opinion god for the planting of fruit trees, not onely in Orchards, but in the hedge-rowes and fields: for I thinke, wee haue of no tree moare necessarie vſe.

Men vna-
taught
know little.

Many fol-
low old hus-
bandry.

Oke, Ash,
and Elme.

Sur. It is true in respect of fruite. But in other respects, the *Oke, Elme, and Ash*, are more precious.

Baylie. These indeede are building trees, and of the thre, the *Oke* is of most request, a timber most firme and most durable. I haue biene no great traueller, and therefore I can speake little of the increase or decrease of them, other then in the places where I am most resident, and where my ordinarie affaires doe lie. And for those parts, I can say, that that they increase not, though they seeme not to be wanted: for you see this country inclinable to wood and timber much: yet within these twenty yéeres they haue bin diminished two parts of thre: and if it goe on by like proportion, our children will surely want. How it is in other countreyes I knowe not.

Oke much
decayeth.
35. Hen. 8.

Sur. I haue seene many places of note for this kinde of commoditie, (for so it is, howsoever it hath beene little preserued) and I finde, that it hath vniuersally receiuied a mortall blow within the time of my memorie: notwithstanding there is a Statute for the preseruation and maintenance of the same, and the same continued to this day, but not with wished effect, as we haue thereof spoken before.

Baylie. I will tell you Sir, carelesse Gentlemen, that haue Mannors and Parkes well wooded, left them by their carefull aucestors, that would not strip a tre for gold, are of the mind (as it seemeth) that the shadowe of the high trees doe dazzle their eyes, they cannot see to play the god husbands, nor looke about them to sell the land, till the trees be taken out of their sight.

Sur. Can you breake a iest so boldly vpon men of woorth?

Baylie. You see as well as I, some doe it in earnest: and I thinke indeede, it is partly your fault that are 'urveyors: for when Gentlemen haue sunke themselues by rowing in
Vanities

Vanities boate, you blow them the bladders of lauishing helps, to make them swim againe awhile, counselling first to cleare the land of the wood, (in the sale whereof is great abuse) per-
swading them, they shall sell the land little the cheaper. And indeede I hold it prouidence, where necessitie commands, to chese of two, the lesser euill : namely, to sell part of a super-
fluous quantifie of wood, where the remenant will serue the partie in bse, rather then y land. But withal, it is the part of a god Surveyor, to counsell frugality, and a sparing spending, according to the proportion of the meanes of him he trauels for. And if that great Emperoz Necessitie will needs haue haucke, sell the wood, or prize it so, as he that buyes the land haue not the wood for nought : as is often seene, when the wood and timber sometimes is worth the price of wood and land.

Sur. It seemes, when you come to bee a Surveyor, as you labour to be, you will be verie carefull in your counsell: but it may be, when you seeme to haue best skill, and earnest desire to draw the line straight for a man inclinable to his owne will, he wil rather giue into the hands of some one that feeds his conceits with flatterie, and he shal mannage the building, when you haue laid the foundation. And what hee doth, bee it right or crooked, is leuell with the marke. And therefore leauing every man to him he lies, I say onely this, that sith timber and timber trees, and wood by due obseruation, are found to decay so fast, mee thinks, in common discretion, it should behoue euery good husband (for all would be so accounted) both vpon his owne land, as also vpon such as hee holds of other mens, not onely to maintaine, and to the vttermost to preserue the timber trees, and saplins likely to become timber trees, Oke, Elme, and Ash: but voluntarily to plant young: and because there is not onely an vniversall inclination to hurle downe, it were expedient

Affection.

Gentlemen
sell their
woods too
fast.

A Surveyor
must coun-
sell frugali-
tie.

Simple
men doe
manage
mens busi-
nes throg
flatterie.

All men
ought to
preserue
timber.

that sith *will* will not, authoritie should constraine some meane of restauration, namely, to enioyne men, as well Lords, as tenants, to plant for every summe of acres a number of trees, or to sow or set a quantitie of ground with Acorns, Ashkeyes, Hawberries, Nuts, &c.

35. Hen. 8.
1. Eliz.

The Statute
abused.

Want of
wood and
Timber
feared.

Baylie. I remember there is a Statute made, 35. Hen. the 8. and the 1. Elizab. for the preseruation of timber trēs, Oake, Ash, Elm, Aspe, and Beech: and that twelue stozers and standils should be left standing at every fall, vpon an acre: but me thinks, this Statute is deluded, and the meaning abused: for I haue seene in many places at the fells, where indeed they leauie the number of standils and more; but in stead, they cut downe them that were preserued before, and at the next fall, them that were left to answer the Statute, and yong left againe in their steads: so that there can be no increase of timber trēs, notwithstanding the words of the Statute, by this kind of reseruation, vntesse such as were thus left, were continued to become timber-trēs indeed: And therefore it were not amisse, that some prouision were made, to maintaine the meaning of the Statute in more force: but I leauie that, to such as see more force then I see, and haue power to reforme it.

Sur. It is a thing indeed to be regarded, for the abuses of woods are infinite and intolerable.

Baylie. Surely it is, especially in places where little timber growes: for there is no Countrey, how barren of timber soever, but hath vse of timber: and therefore, if neither mens own wils, seeing the eminent want, nor force of justice will moue and worke a reformation, we may say as the Proverbe is, Let them that liue longest, fetch their wood furthest.

Sur. But some countreys are yet well stored, and for the abundance of timber and wood, were excepted in the Statute, as the welds of Kent, Sussex, and Surrey, which were all anciently comprehended vnder the name of

Holmes

Holmes dale. There are diuers places also in *Darbisbhire*, *Cchesbhire*, and *Shropshire*, well wooded. And yet hee that well obserues it, and hath knowne the Welds of *Suffex*, *Surrey*, and *Kent*, the grand nursery of those kind of trees, especially Oke, and Beech, shall find an alteration within lesse then thirty yeeres, as may well strike a feare, lest few yeeres more, as pestilent as the former, will leauie few good trees standing in those Welds. Such a heat issueth out of the many forges, and furnaces, for the making of yron, and out of the glasse kilnes, as hath devoured many famous woods within the Welds: as about *Burnings-fold*, *Laxwood Greene*, the *Mens*, *Kirdford*, *Petworth Parks*, *Ebernowe Waffalls*, *Rusper*, *Balcombe*, *Dalington the Dyker*: and some forests, and other places infinite. *Tantum cui longinqua valet mutare vetustas.* The force of time, and mens inclination, make great changes in mightie things, but the croppe of this commodious fruite of the earth, which nature it selfe doth sowe, being thus reaped and cut downe by the sickle of time, hath been in some plentifull places, in regard of the superfluous abundance, rather held a hurtfull weede, then a profitable fruit, and therefore the wasting of it held prouidence, to the ende that corne, a more profitable increase, might be brought in, in steade of it, which hath made Inhabitants so fast to hasten the confusion of the one, to haue the other. But it is to bee feared, that posterities will finde want, where now they thinke is too much. *Virtutem incolmem odiimus, sublatam sero sepe querimus inuidi.* Things that wee haue too common, are not regarded: but being depriued of them, they are oft times sought for in vaine.

*Holmes
dale.*

Thirtie
yeeres haue
consumed
much wood
and timber.
Glaste hou-
ses.

Great
Woods wa-
sted.

Woods de-
stroyed for
corns sake.

Baily. It is no maruell, if *Suffex* and other places you
speaks:

140. Iron-
works in
Sussex.

speake off, be deprived of this benefit: for I haue heard, there are, or lately were in Sussex, neare 140. hammers and furnaces for yron, and in it, and Surrey adioyning, 3, or 4. glasse houses: the hammers and furnaces spend, each of them in euerie 24. hours, 2.3. or fourre loades of Charke coale, which in a yere amounteth to an infinite quantitie, as you can better account by your Arithmetique, than I.

Watting of
woods in
Sussex,
good for
the common
wealth.

Sur. That which you say, is true, but they worke not all, all the yeere: for many of them lacke water in the Summer to blow their bellowes. And to say truth, the consuming of much of these in the Weld, is no such great prejudice to the weale publike, as is the ouerthrow of wood and timber, in places where there is no great quantity: for I haue obserued, that the cleansing of many of these welde grounds, hath redounded rather to the benefite, then to the hurt of the countrey: for where woods did growe in superfluous abundance, there was lacke of pasture for kine, and of arable land for corne, without the which, a Countrey, or countrey farme cannot stand, or be releued, but by neighbour helpes, as the Downes haue their wood from the Weld. Beside, people bred amongst woods, are naturally more stubborne, and vnciuil, then in the Champion Countreys.

Baylie. What, are mens manners commonly guided by the disposition and qualitie of the places where they are bred?

Mens man-
ners of
their place
of breed.

Sur. There is no necessitie in it, I take, but by obseruation been collected, That it hath *Motani sunt asperi atq; in-*
culti: Molliores corpore atq; moribus pratenses: Campestres
mansueti & Ciniles: Rudes & refractarij Silvicol.e: Paludi-
cole inconstantes & hebeti ingenio: Littorales duri, horrendi,
immanes, latrociny's dediti, omniumque denique pessimi. &c.
So that if this obseruation hold, men varie in wit, manners
and

and disposition of body and minde, much after the nature of the place where they are brought vp. But let vs not thinke that followes alwaies, but that education and diuine grace doth shape new minds, manners and dispositions in men, as they are trayned vp in the knowledge and feare of God. But woods are commonly most desert, so are Sea coasts subiect to violent windes, and vapours, and therefore these aboue other places are most condemned, and the inhabitants the more need to seeke the meanes of reformation.

Bayly. Truely, I thinke all the places you name, the Mountaines, Meadowes, Woods, Marshes, and the Sea-coast, b̄e by nature all *rudes, refractarios & immanes*, without the grace of God-directing them. And therefore we will leauie to censure conditions of men, in one continent, and as it were, vnder one clymate by the places of their b̄e. That in my conceit, were to giue sentence against Gods secret Counsell, and prouidence: As also to say, such a complexion were alwaies an argument of ill condition, and such of god, which never holdeth generally true. Let vs, I pray, returne to our former communication, for time passeth, and I know, you would not be letted long.

Sur. Then I say, where, in former times, a farme stood in those parts, wholly vpon these vnprofitable bushy and woodie grounds, hauing onely some small and ragged pastures for some kinde of cattell, now I see as I trauell, and where I haue had businesse, that these vnprofitable grounds are conuerted to beneficiall tillage: In so much as the people lacke not, but can to their great benefit, yeerely afford to others, both Butter, Cheese, and Corne, euen where was little or none at all: yet I hold a moderation necessary, least that the too much ouerthrowing of timber trees, and stocking vp of Woods bring such a scarste of that necessarie commodity, as men build not, for

Diuine
grace
shapes new
minds.

Complexion
neuer a
true argu-
ment
of good or
euill men.

The bene-
fit that
Sussex fin-
deth by de-
cay of
Woods.

Fewell of constraint. for lacke of timber, but vse Peats, Turffe, Heath, Furres, Broome, and such like fuel for firing, where they may bee gotten, yea, and Neats dung, as in some places of Wiltshire, and elsewhere: which cannot but ensue, if there be neither preuention for the subuersion of the present, nor no prouision to plant or spare for the time to come: who seeth not that the generall extirpation, and stocking vp of coppise grounds in Middlesex, will not breede want to them that shall succeede?

Middlesex Stocking.

Bayly. But that may be the moze tolerated, because it bringeth a greater profitte in tillage and pasture, the ground being good, bringeth forth wheate and oates, and other commodious graine, in stead of stubs and shrubs.

The vse of
fringe ne-
cessarie.

Sur. Stubs and shrubs are also necessarie: but as wee desire food, so we must preserue the meanes to prepare it for food: for, as corne aualeth not without Mils to grind: so many other necessaries without firing, are of little vse. If al were arable, which is the life of corne, then meadow and pasture, the life of cattell were dead: to couet one peculiare for all necessarie things is a true resemblance of *Mydas* wish. Therefore it is good to foresee, and to auoide a mischiefe to come, by desiring or vsing present commodities moderately and prouidently. For when there is a true concurrence betweene the vse, and preseruation, and increase of necessarie commodities, without wilfull consuming, there seldom followeth too much want: but if, for the ouer-greedy vse of things present, there be no regard of future occasion, it cannot be, but if the earth, the mother of man and other creatures, could verbally complaine, shee might well say, *shee were even robbed of her fruits by her owne children:* and namely when for one commodities sake, another is abandoned by some pribate A commo-
ditie pre-
sent should
not deprive
future
times of a
better.

priuate men, more expedient for the publique weale.

Baylie. I think your meaning is, when farmes, or tow-
nships are by priuate men dispeopled, and the houses pulld
downe, and the land converted to some more priuate use:
as onely to shēpe pastures, or grassing for cattell onely,
you meane, Corne, the moze commodious, is abandoned for
these lesse profitable.

Sur. Both these are necessarie in their places, no man
can denie it. But when the *Oxe* and *Sheepe* shall feede
where good houses stood, where honest men and good
Subiects dwelled, where hospitalitie was kept, the poore
releevued, the King better serued, and the cōmon wealth
more stedded: who will not say it is the bane of a com-
mon wealth, an apparent badge of *Athcisme*, and an ar-
guement of apish ambition, or wooliſh emulation? but
because there is a statute carefullly prouiding refor-
mation, I will be ſparing to accuse, though a man might
point at the places and persons: Is not this next, *Ferne
hill*, a cloſe of the Lords demeisnes?

Depopula-
tion dan-
gerous.

Bayly. You remember well, it is ſo.

Sur. If my memorie faile not, there is a deepe bot-
tome in this field, and a little rill of water rising out of
the hill, runnes thorowe it.

Baylie. If you loke but ouer this hill, you ſhall ſee it.

Sur. I ſee it, and I maruell that there hath beene no
respect had of this place: for it is a deſert bottome, full
of bushes and shrubs, yeelding now little or no bene-
fit.

Bayly. What can you aduise to be done with it, to make
it more profitable?

Sur. I could wiſh ſome coſt to be beſtowed hecre, in
making a fish pond, nay it would make at the leaſt, two or
three, one beloue the other.

B b

Bayly.

Bayly. Alas, that were to little purpose, as I take it, considering the charge of making the ponds, the clearing of the water-course, the cleansing of the bodies, the making of the dammes or heads of the ponds will bee more chargeable, then the fish will be profitable.

Sur. As you conceive it, for where reason or experience teach not, there the will followes to be vntoward in all actions: and seldom men practise doubtfull things, howsoeuer probable, for experiance sake. But in this there is no doubt at all, the benefite is certaine by approoued experiance, & it paieith the charge to the founder in short time, and afterward the benefit comes without much labour or cost. He that hath trauelled, and is acquainted with *Suffex*, and *Surry*, and hath obserued this commoditie, may find that Gentlemen, and others able in those parts, will not suffer such a conuenient place, as this for the purpose, to lie unprepared for this vse: and the sweetnesse of the gaine they yearly make of it, hath bred such an increase of ponds for fish, as I thinke, these two shires haue more of them, then any twentie other shires in England.

Fish-ponds
many in
Suffex, and
Surry.
Bay. That were very much, but I take it, the making of th̄ is very chargeable, for the cleensing & digging, the ridding of the stuff, & making the head, I think wil consume a greater charge then many yeeres wil pay, or redēm again, as I said before.

Sur. That which commonly commeth out of these kind of places, is good soyle for other lands, and will of it selfe quite the cost of cleensing and carrying. As for the head wherein the greatest charge consisteth, may bee done, for a marke or a pound a pole at the most, but where there is good fast earth, as is here, I think lesse will do it. This pōd may be 20. pole at the head, few so much: and after 2. or 3. yeeres being well stored, it will yeld re-quitall,

quitall, not onely for domesticall vse, but to bee vented
verie beneficially: for the Fish-Mongers of London doe
vse to buy the fish by the score or hundred, of a compe-
tent scantling, when the ponds in the countrey be few-
ed, and bring them to London: in caske 20, 30, 40, 50
miles, and vent them by retaile: and if the ponds bee so
remote from the maine Mart London, as the fish cannot
bee conueniently transferred, other confining Cities,
townes, and inhabitants, besides the owners priuate fa-
milies will find good vse of them: and many times also,
these kinds of ponds may haue sufficient fall of water for
corne Mills, fulling, or wake Mils, syth Mils, and Mils of
other kinds, as the countrey where such conuenient pla-
ces a e, may require: and it is found, by such as duly ob-
serue the courses of Countreys, & inclinations of men,
that want of prouidence and feare of charge, withhold-
eth mens minds from many benefits, priuate and pub-
lique, and that many times, where they are voluntarily
mooued to consume far more in matter of mere vanity,
and things which right reason holdeth veryfriuelous.

Baily. Truly I haue obserued this that you say, to be true
in many, especially in such, as ambition moueth wi:out ne-
cessite to build more faire and stately piles, then their estate
or abilities will well beare, and couet nothing more, then to
raise their fame by their follie, not respecting commodities,
so much as pleasures, as if the name of a faire house, were
made meate, drinke and credite vnto them: where if they
were forced by necessite to raise an habitaclle, it might be so
marshalled in discretion, that it should not exceed y qualitie
of the person, neither stand without such supply of all conve-
nient appéndances, as might both argue the party prouident,
& adde means vnto all necessaries for a like families relieve.

Sur Men will haue their humors: but he is wise, that
can learne by others harmes to auoid, & by others good
example to follow the like.

Fish-mon-
gers buy
pondfish far
off.

Ponds ne-
cessarie for
Mils.

Ambitious
building ri-
diculous.

A house
with nec-
essaries com-
mendable.

Bayly. Sir, youse this p̄ce of ground, it hath not the name for nought, it is called Fernie close, and as you see, it is full, and so ouergrowne with these brakes, that all the art we can devise, and labour we can vse, cannot rid them.

Horace.
Ferne.

Theophras-
tus lib. 8.

Manuring
what is
meant by it

Ferne de-
stroyed by
serne.

Sur. *Neglectis vrenda filix innascitur agris*, saith Horace. But in many places they serue to good vse: and therefore, where they grow, it must be considered, whether it be better, to destroy them, or to foster them, for they seldom or neuer grow in a fat soile, nor cold, but in a sandie and hot ground: And as *Theophrastus* saith in his eight booke, it commeth not vp in manured places, but withereth away.

Bayly. How? meaneth hee by manured places plowed groundes?

Sur. Plowed grounds, may bee sayd to be manured, but it is not so meant by *Theophrastus*: for hee meaneth grounds well soyled, with good fat marle and dung: for plowing without this kinde of manurance, wil hardly kill it: for the ground being naturally barren, it will not quite cost to plow it, till they growe no more. And if there bee no other soile to manure it, take the brakes themselves, to kill the brakes.

Bayly. I thinke, that were the way to raise more: for it is like the adding more fewell to put out the fire.

Sur. But you see, that though the oyle feed the Lamp, oyle will extinguish it.

Bayly. That is, if you drowne the match with oyle.

Sur. So if you cut the brakes often, while they are young, and a little before Midsummer when they are growne, and cast them vpon the same land, and set the folde vpon it, and vse it thus, 2. or three yeeres, feeding it often with cattell or sheepe, you shall finde a great decay of them. In the Welds of *Suffex*, and *Surry*, places inclinable

inclinable to brakes, you may learne, how the inhabitants by their indeuours, doe make good vse of this kind of husbandrie, both for corne, and to increase their pasture, by cutting them in August, and after when they are withered, laying them vpon their grounds, with the fold, as I told you, which causeth the grasse to spring verie fast, and freshly: and they are so farre from coueting to kill them, that they fetch the for this vse far off: but the continuance of this course will impaire them much. Moreouer, they bring the brakes into their yards, where their cattell lodge in the winter, and there they rot, and when they be well dissolved among their other soile, they carry it about September, and October, into their arable fields, to their good aduantage. And in some places they lay it in the common high waies (as in *Hartfordshire* and other places) and about March carie it into their gronnds. It is of so liuely, slimy and vegetable a nature, as it seldome becomes vtterly consumed, but by fat marle, and soile, and continuall plowing, as I told you before. But I see, heere is a ground next vnto this, of another nature, full of bushes and briars, hee is no good husband that oweth it.

Bayly. Neither hee that owes it, nor a better husband can prevent this inconuenience: for besides the bushes, the mosse is so full and ranke, as the ground is good for nothing, but for that small pasture, that is in it here and there.

Sur. The ground of it selfe, I see is good inough, and not so proane to mosse as you take it, but the cause of the mosse is the bushes: for after every showre of raine, the bushes hang full of droppes, which often falling on the ground, makes the vpper part of the earth so colde, that it increaseth this kinde of mosse: but without the aid and industrie of a skilfull husband, fairest grounds

The vse of
ferne, in di-
uers places.

Bushy
ground.

The cause
of mosse.

will become vgly, and best land euill, and will bring foorth vnprofitable weeds, bushes, brakes, briars, thorns, and all kind of hurtfull things, according to the curie inflicted vpon it for mans fault, at the beginning.

*The earth
not ma-
nurde what
it becomes.*

Baily. Admit, no man did manure the earth, yet surely there be many grounds, in my conceit, would never become worse then they be.

Sur. You are in a great error : for the freest grounds that you see, the fairest pastures, and greenest meddows, would become in short time, ouergrown with bushes, woods, weeds, and things vnprofitable, as they were before they were rid, and clesned of the same by the industry of man, who was inioyned that care and trauaile to manure the earth, which for his disobedience should bring foorth these things.

Bayly. How then was the state of this Island of great Britaine, at the beginning, when it was first peopled ?

*Great Bri-
taine some-
times a de-
sert.*

Sur. A very Desert and wildernesse, full of woods, fels, moores, bogs, heathes, and all kind of forlorne places : and howsoeuer wee find the state of this Island now, records doe witnes vnto vs, that it was for the most part an vniuersall wildernesse, vntill people finding it a place desolate, and forlorne, began to let footing here, and by degrees grew into multitudes ; though for the time, brutifh and rude. Time taught them, and Nature drew them to find the meanes how to stock vp trees, bushes, bryers, and thorns, and in stead therof, to plow the land, to sow, set, & plant, to build Cities for defence, aswell against the force of Wild beasts, then plentifull in these grounds which now we manure, as against enemies, as the ruines of Cilchester in Hamsbire, among the woods, and of Verolamium in Hartfordsbire, and other Roman Monuments of

*Cilchester,
Verolamium*

of antiquitie, doe lay before our eyes at this day. After Cities, (as the land became more and more peopled) they built lesser Townes, Villages, and Dorpes, and after more securitie, Country Farmes, and Graunges : and as these increased, wild beasts, as Beares, Bores, Woolues, and such like decreased : for when their shelters, great woods, were cut downe, and the Countrey made more and more champion, then the people more and more increased, and more and more decreasing the inconueniences that offended them.

Bayly. I obserue in this your discourse some doubts, as whether all this Island, now great Britaine, were a Wildernes, and Desert, & whether there were euer such wild beasts in it, as you speake off.

Sur. If you will be satisfied by records, you may find, that most of the Shires in England were *Foreste*: and as for the wild beasts, Authors very autentique, report of the *Calidonian* beare, Bore, Bull, and Kine, which were in this Island, with infinite many Woolues : as by reason of the great woods and fastnesse, there are yet in *Ireland*.

Calidonian
beare and
bore.

Bai. This our discourse is somewhat from our matter, yet not altogether impertinent: for if this lie hidden, and men be ignorant of the state of sozmer times, our present swelling & ambitious conceits may serue to attune more commendation, for present Art & industry, in reforming the earth, then Ages of old : wherin I perceiue, & by your discourse collect, that our fathers did more in ten yeres, then we in soztie.

Former a-
ges had
more art &
industry
then ours.

Sur. It is true, because we saw not the earths former deformities, we dreane it was then, as now it is, from the beginning, whereas indeede our forefathers, by their diligence and trauaille, left vnto our forefathers, and they by increasing experiance, and endeuour, left vnto vs that faire and fruitfull, free from bryers, bushes, and thornes, whereof.

The earth
not in the
beginning
as now it is,

Lands formerly arable, now wood.

whereof they found it full. And this field wherein now we are, may be an instance: for you see by the ancient ridges or lands, though now ouergrown with bushes, it hath beeene arable land, and now become fit for no vise, vnlesse it be reformed. And the bushes that are in this field, you see, are such shrubs and dwarfie bushes, and fruitlesse briars, as are neuer like to prooue good vnderwood, nor good haying or hedging stiffe. If it were fit for either, and the Countrey scant of such prouision, it might be preserued. But sith they haue been so cropped and brused with cattell, and sith this countrey is full and most inclinable by nature to this kind of stiffe, more then sufficient for fencing and fewell, and corne ground and good pasture nothing plentifull, if the tenant were a good husband, he would stocke it vp and plow it.

Baily. I thinke it is so full of Mosse, it will beare little corne.

Sur. The Mosse being turned in by the plowe, will rot, and these hillockes, mole-hilles, and ant-hilles will inrich the ground, and cherish the seed sowne.

Bayly. What graine is best to bee sowne first after the stocking?

Mosse.

Oates in clay.

Barley in sand.

A mutuall
agreement
betweene
graines and
grounds.

Sur. It seemeth to bee a good stiffe clay ground, and therefore Otes are best to prepare the earth, to make it fit for wheat the next season: and after it, as the ground may bee by the skilfull husbandman thought fit for wheat againe or pease. But if the soile were leane and light, barley would agree better in it, and a light red rush wheat, where, in the more stronger ground, the white Wheat, and gray Ball, (as they call it in the West parts) is best. And in some more hot and sandie grounds, Ric, as men shal by experience find the land to like the grain, and.

and the graine. For there is a naturall affinitie or enmity betweene graines and grounds, as betweene stomacks and meats. And therfore the husbandmans experience will best guide him. But I doe not a little wonder at men in this age, whom, whether I may rather accuse of idlenesse, or ignorance, I cannot tell : for where I haue trauelled in sundry parts of *England*, I haue in many of them found many olde drie pits, aunciently digged in fields, Commons, Moores, and other grounds, many of them bearing still the names of *Marle pits*, and by search haue bin found to yeeld very excellent Marle, first found and digged by the prouidence and industrie of our fore-fathers, and left and lost by the negligence of latter times.

Marle pits.

Baylie. But by your fauour, sat Marle, me thinks, is not good for this kind of ground, because it is a strong clay, it is better, I take it, for a hot and sandie soyle, and a hot chalke better for this.

Sur. It is very true, that obseruation should not haue beeene forgotten: but is well remembred of you.

Bayly. We haue, indeed, a kind of plodding and common course of husbandry hereabouts, and a kind of peevish imitation of the most, who (as wisemen note) are the worst husbands, who onely trie what the earth will doe of it selfe, and seeke not to helpe it with such meanes, as nature hath prouided; whereas if men were carefull and industrious, they shold find, that the earth would yeeld in recompence for a god husbands trauell and charge, Centuplum without corrupt vsurie.

Sur. I am glad you can now approue it so in reason: for I thinke, experience doth not yet so fully teach you. I haue knownen where land hath bene very base and barren, and so continued many generations, as ground in manner forsaken and forlorne, abandoned of the plow,

Grounds
well manu-
red, grea-
test interest.

*Ill ground
made good*

which after hath come into the hands of a discreet and industrious husband, that knew how, and would take the paines, and bestow the cost to manure it in kinde, hath much enriched himselfe by it, and where before it would not beare a crop of requisitefull increase, by marling and good vlage, hath borne cropp after cropp, 12, 16, or 20 yeares without intermission. The benefite of marling, Lancashire, Cheshire, Shropshire, Somerset, Middlesex, Sussex, Surrey, among many other places, yea, all the shires of England can witnesse, though not all by one kind of soyling and marling. For neither is all kinde of Marle in one place, neither any one kinde in all places. But few places are so defectiue, but it yeeldeth ofit selfe, or is nere vnto some place of help. And men that will haue profit, must vse the means, they must not sit and giue ayme, and wish & repine at others increase. There must be obseruation, to marke how others thriue, inclination and imitation to doe the like, endeouour and charge. And if one experiment faile, trie a second, a third, and many: looke into places and persons, note the qualities of the land of other men, and conferre it with thine owne: and where there is a resemblance, mark what the best husband doth vpon his land like vnto thine: if it prosper, practise it, and follow the example of him, that is commonly reported a thrifte husband. And by this means, will experiance grow, and of one principle of reason, many conclusions will proceede. If a man looke into Cornwall, there shall he find, that in diuers places, especially vpon the North coast, about Padlow, that the inhabitant Farmers doe soyle their Lands with sea sand: which because the Countrey affordeth not in all places passe for cart-carriage, men fetch this kind of sand 3, 4, 6 miles in sakes on horsebacke.

*Sea sand, a
good soyle
in Corn-
wall.*

horsebacke. And poore men liue by fetching and sel-
ling it to the more wealthy. In *Devon* and *Somerset*, and
in some places of *Cornewall*, *Suffex*, and in the South
part of *Surry*, besides their other cōmendable courses of
husbandry, they burne their land, and call it in the West
parts, Burning of beat, and in the South East parts,
Deuonshire, and by that means in barren earth haue ex-
cellent Rie, and in abundance. In *Shropshire*, *Denbigh-*
shire, *Flintshire*, and now lately in some part of *Suffex*,
the industrious people are at a more extraordinarie
charge and toyle. For the poore husbandmen and Far-
mers doe buy, digge, and fetch limestones, 2, 3, 4 miles
off, and in their fields build lime-kils, burn it, & cast it on
their fields, to their great aduantage: which kinde of
time is of the nature of hot chalke, great helpes to cold
and moist grounds.

Deuonshire.

*Lime-
stones.*

Bay. But th's kind of stome is not to be had in all places.

Sur. That kind or some other, is to bee found in, or
neere most places, and there is no kind of stone, but be-
ing burned, will worke the like effect. So will also and
especially the beach or pibble stones burned, that frequēt
the sea shore in many places, as vpon the *Camber* shore
neere Rie, and at *East-bourne* in *Suffex*, neere *Penssey* a-
bout *Folkestone*, and vpon the coast of *Kent*, vpon *Orford-*
ness, and about *Alborow*, *Hoseley*, and that coast in *Suffolk*,
and sundrie other places vpon the Sea-shore: In some
places in so great abundance, as if there were wood in
competent measure, would make good and great store
of lime for building.

*Pibble and
beach,
good to
make lime.*

Bavly. It is farre to fetch it: for I doe not think, but e-
very load fetched 5 miles, is worth 5 shillings the carriage,
this is verie chargeable.

Sur. Yet it quiteth the cost well inough, hec that is

CC 2 able,

Difficulties
pretended,
where is no
will.

able, doth find it profitable. But you are in the mind of soone that I haue heard, when they haue bin moued to entertain a help for their lād, either it is too deare, or too far to fetch, or too deep in the earth, or some difficultie they pretēd in it, that few vndertak the right way to good huf bandrie, like vnto them that *Salomon* speaketh of, that in winter will hold his lazie hands in his lowzie ambrie, and for slouth will not looke about his land in the cold, and sleepe out the time in Summer. Many difficulties & impediments preuent them that wil neuer be good husbands nor thrifty. But such as meane to liue like men, wil shake off the cold with trauell, and put by sleepe by their labor, and thinke no cost too great, no labour too painfull, no way too farre to preserue or better their estates. Such they bee that search the earth for her fatnesse, and fetch it for fruits sake. Many fetch Moore-earth or Murgion from the riuier betweene Colebrooke, and *Vxbridge*, and carry it to their barren grounds in *Buckinghamshire*, *Harfordshire*, and *Middlesex*, eight or ten miles off. And the grōuds wherupon this kind of soile is emploied, wil indure tilth aboue a dozen yeeres after, without further supply, if it be thorowly bestowed. In part of *Hants* they haue another kind of earth, for their dry and sandy grounds, especially betweene *Fordingbridge* and *Ringwood*, and that is, the stub of the Riuier of *Auon*, which they call *Mawme*, which theydigge in the shallow parts of the riuier: and the pits where they digge it, will in few yeares fill againe: and this *Mawme* is very beneficiale for their hotte and Sandy grounds, arable and pasture. And about *christchurch twinaam*, and vp the riuier of *Stowre*, they cut and dig their low and best meadowes,

*Moore
earth or
Murgion.*

Mawme.

dowes, to helpe their vpland hot and heathie grounds. And now of late the Farmers neere *London*, haue found a benefit, by bringing the Scauengers Street-foile, which being mixed as it is with the stone cole dust, is verie helpfull to their clay ground: for the cole-dust being hot and drie by nature, qualifieth the stiffenesse and cold of the foyle thereabouts. The foyle of the stables of *London*, especially neere the *Thames* side, is carried Westward by water, to *Chelsey, Fulham, Battersey, Putney*, and those parts for their sandie grounds.

Meadowes
cut and car-
ried into
dy grounds
Scauengers.

London
soilz.

Bayly. Whether doe you account the better, the stall or stable dung?

Sur. The stable dung is best for cold ground, and the stall dung for hot grounds, if they be both rightly applied. And of all other things, the Ashes that proceed of the great rootes of stocked ground, is fittest and most helpe fulto a cold clay. So is the cinders that come from the Iron, where hammers or forges are, being made smal and laid thin vpon the cold moist land.

Difference
of stable
and stall
dung.

Baylie. I was once in Somerset-shire, about a place neere Tanton, called Tandeane, I did like their land and their husbandry well.

Sur. You speake of the *Paradice of England*: and indeed the husbandrie is good, if it be not decayed, since my being in those patts: as indeed (to be lamented) men in all places give themselves to too much ease and pleasure, to vaine expence, and idle exercises, and leauue the true delight, which indeed should be in the true and due prosecution of their callings: as the artificer to his trade, the husbandman to the plowe, the Gentleman, not to what he list, but to what besfits a Gentleman, that is, if he be called to place in the common weale, to respect the execution of Justice: if he be an inferiour, he may be his

Tandeane,
the Para-
dice of Eng-
land.

A prouident Master.

own Baily, & see the managing & manuring of his owne reuenews, & not to leaue it to the discretion & diligence of lither swaines, that couet only to get and eat. The eye of the prouidēt Master may be worth two working seruants. But where the Master standeth vpon terms of his qualitie and condition, and will refuse to put (though not his hand) his eye towards the plow, he may (if it be not the greater: for I speake of the meaner) gentlelize it a while: but he shall find it farre better, and more sweet in the end, to giue his fellow worke-men a congie early in the morning, and affably to call them, and kindly to incite them to their businesse, though hee foyle not his fingers in the labour. Thus haue I seene men of good qualitie behauie them towards their people, and in surveying of their hirelings. But indeed it is become now contemptible and reproa chfull, for a meane Master to looke to his labourers, and that is the reason, that many well left, leaue it againe before the time, through prodigalitie and imprudence, and meane men industrios steppe in: and where the former disdained to looke to his charge, this doth both looke and labour, and he it is that becomes able to buy that, which the idle and wanton are forced to sell. Now I say, if this sweet countrey of *Tandane*, and the Westerne part of *Somerset-shire* be not degenerated, surely, as their land is fruitfull by nature, so doe they their best by art and industrie. And that makes poore men to liue as well by a matter of 20. pounds *per annum*, as he that hath an hundred pounds.

Bayly. I pray you Sir, what doe they more, then oþer men, vpon their grounds?

Sir. They take extraordinarie paines, in soyling, plowing, and dressing their lands. After the plowe, there

Good husbandry in the West.

The maner of husbandry in the West.

there goeth some three or foure with mattocks to break the clods, and to draw vp the earth out of the furrowes, that the lands may lie round, that the water annoy not the feede: and to that ende they most carefully cut out gutters and trenches in al places, where the water is likelyest to annoy. And for the better enriching of their plowing grounds, they cut vp, cast, and carry in, the unplowed headlands, and places of no vse. Their hearts, hands, eyes, and all their powers concurre in one, to force the earth to yeeld her vtmost fruit, and the earth againe in recompence of their louie to her, vouchsafeth them an incredible increase.

Baily. What I pray you in quantitie vpon an acre, more then the ordinary rate of wheat, which is the principall graine in other Countrey's?

Sur. They haue sometimes, and in some places foure, five, sixe, eight, yea tenne quarters in an ordinary acre.

Baily. I wold thinke it impossible.

Sur. The earth, I say, is good vnto them, and their cost and paine great to it, and there followeth a blessing, though these great proportions alwayes hold not. The land about Ilchester, Long Sutton, Somerton, Andrey, Middlesey, Weston, and many other parts, are also rich, and there are many good husbands.

Baily. Doe they not helpe their Land much by the fold?

Sur. Not much in those parts: but in Dorset, Wiltshire, Hampshire, Barke-shire, and other places champion, the Farmers doe much enrich their Land indeede with the sheep-fold. A most easie, and a most profitable course: and who so neglecteth it, haing means, may be condemned for an ill husband: nay, I knowe it is good husbandry, to driue a flock of sheep ouer a field of wheat rye, or barley, newly 'owen, especially if the ground be

Great yeeld
ding of
wheate.

The sheep-
fold.

Sheeps tread-
ing
good for
corne.

Grounds
long in
grazing.

The cause
why grounds
will not
graze in
long time.

be light and drie: for the trampling of the sheepe, and their treading, doth settle the earth about the corne, keeping it the more moist and warme, and causeth it to stand the faster, that the windes shake it not so easily, as it will doe when the roote lyeth too hollow vnder the earth.

Bayly. I cannot reprove you. But I knowe grounds of a strange nature in mine opinion: for if they be once plowed, they will hardly graze againe in 6. or 7. yeres: yet haue I seen as rich wheat and barley on it, as may well approue the ground to be very fruitfull. And if a stranger that knoweth not the ground, looke vpon it after a crop, he will say it is very barren.

Sur. Such ground I know in many places, as in the Northwest part of *Essex*, in some places in *Cambridgeshire*, *Harfordshire*, *Buckinghamshire*, *Wiltshire*. But commonly, where you find this kind of earth, it is a redde or browne soyle, mixed with a kinde of white, and is a mould betweene hot and colde, so brittle in the vpper part, and so fickle, as it hath no firme felling for the grasse to take rooting so soone, and in such sort as in other firmer grounds: and for this kinde of ground, good and well rotted stable dung is fittest. Let vs, I pray thee, walke into the next field, the Lords demesnes, called as I take it, *Highfield*.

Bayly. It is indeede a large ground you see it is, and god pasture, but so ouergone with Thistles, as wee can by no meanes destroy them.

Sur. This kind of Thistle approoueth the goodnessse of the ground, they seldome or neuer grow in a barren soile.

Bayly. Yes, I haue seene thistles in meane ground.

Sur. It may bee so, a kinde of small hungry dwarfie thistle,

thistle, but this kind which you see large, high and farrie, you shall neuer see in abundance, in a weake foile.

Bayly. But I wish they were fewer in number : though they may be a note of god ground, I find them nothing profitable, unlesse it be to shrowd the vnder grasse in the passing Summer, from the heat of the scorched Sunne, for they are god for no other vse that I can find.

Sur. That is some benefite : but the best way to kill them, is to take them vp often by the rootes, euer as they begin to spring, and either presently to rake them vp, and carry them out of the fields, or else to beat them in small peeces : for their nature is to reviue againe like an Adder, that is not thorowly battered in the head, and cut in peeces. Such is the nature of this kind of Thistle, that though it be plucked vp by the root, if it lie still vpon the ground, as soone as it receiueth the euaporation of the earth, his slimie-nature gathers a kind of new life, and beginnes to fasten and cleave it selfe to the earth againe, and to shoot forth small strings, which entring into the earth againe, will bring foorth many for one.

Baily. That is, if they be cut when they are seeded, the seeds fall and increase.

Sur. Nay, if you cut them in there infancie : for if they bee not cut often, and that, as soone as they shewe themselues a foote high or lesse, the roote will recouer, and budde againe : the roote is as the liuer in the body, from whence proceedeth all the blood that feedeth the veines, that quickneth the body, which by obstruction and stopping of the passages, putrifieth. So the roots of these vegetables, when the branches are againe and again cut off as they spring, the root is left so ouercharged

Thistles
how to kill
them.

Thistle, the
nature.

The roots
of vegetable
things, like
the liuer in
the body.

Rushes.
Flagges.
Heath.

with moisture, that it will in the end yeeld, and giue ouer bearing, and die : as will also Rushes, Flagges, and such like, which though they be strong by nature, yet by this meanes they will be destroyed sooneft.

Baily. But what say you to this heathy ground : I thinke of all other grounds, that is the most vnproufitable.

Sur. Indeede, naturally all heathy grounds are barraine, and that comes by the saltnesse of the soile.

Bayly. Doth all barrenesse procede of saltnesse ?

Saltnes, hot
and drie.

Sur. As leanness in a mans body, is principally procured by saltnesse of the humour : So is barrenesse in grounds; for salt is hot, and heat drieth, and too much drowth breedes barrainenesse and leanness. And according to the measure and proportion of the degree of hot and cold, moisture and drinessse, are all grounds fruitfull and barraine, as the body by these causes is fat or leane, hot or cold. Therefore, though heathy grounds be commonly in the highest degree of barrainenesse, yet are some more in the meane then some. Some are more tractable & more easily reduced to some vse then others, and therefore hath sundry names. Heath is the generall common name, whereof there is one kind, called or Hather, the other Ling. And of the particulars, there are also sundry kinds distinguished by their severall growth, leaves, stalkes, and flowers : as not farre from *Graues end*, there is a kind of Hather that beareth a white flowre, and is not so common as the rest, and the ground is not so exceeding barraine as some other, but by manurance would be brought to profitable tillage. Some, and the most, doth beare a purple or reddish flowre, as in the *Forest of Windsor*, and in *Suffolke*, and sundry other places; and this kind is most common, and groweth commonly in

Hather.
Ling.

Heath di-
uers kinds.

in the worst ground. In the North-parts, vpon the Mountaines and Fells, there is a kind of Ling, that beares a berry: euery of these hath his peculiar earth wherein it delighteth. Some in sandy, and hot grounds, as betwene *Wilford Bridge*, and *Snape Bridge* in *Suffolke*. And that is bettered especially, and the Heath killed best and soonest, by good fat marle. Some in grauelly and cold earth, and that is hard to be cured, but with good stable dung. But there is a kind of Heathy ground, that seemeth altogether vnprofitable for tillage, because that the grauell and clay together retaineth a kinde of blacke water, which so drencheth the earth, and causeth so much cold, as no husbandrie can receiuie it, yet if there be chalke-hils neere this kind of earth, there may be some good done vpon it: for that only or lime will comfort the earth, drie vp the superfluous water, and kill the Heath. But the sandy Heathy ground is contrarily amended, as I told you, with fatte marle, and that is commonly found, neere the Heathy grounds; if men were prouident and forward to seeke for it. Every of the heathy grounds are best knownen of what nature they be of, whether hot or cold, by the growing of it: as if it growe lowe and stubbed, it argues the ground to bee grauelly, cold, and most barren; where it groweth ranke and high, and the stalke great, the ground is more warme, & more apt for tilth, yet it requireth some kind of composte, else will it not beare past a crop or two, contenting the owner: but if men will not indeavour to search for the hidden blessings of God, which he hath laid vp in store in the bowels of the eath, for their vse that will be painfull, they may make a kind of idle and vainefshaw of good husbandry, when indeed they onely plow, and sow, and

Heathy
ground vn-
profitable.

How to find
the nature
of the hea-
thy grounds

The earth
comanded
to denie vs
fruit with-
out labour.

charge the earth, to bring foorth fruite of it owne accord, when wee knowe it was cursed for our sakes, and commaunded to denie vs increase, without labour, sweate, and charge, which also are little availeable, if we ferue not him in feare and reuerence, who is the Author of true labours, and of the blessings promised thereunto.

All kind of
grounds
haue their
helpe.

Furze.

Whynnes.

Dwarfes
Furzes.

French
Furzes.

Baily. I thinke there is no disease in the body of man, but nature hath giuen vertue to some other creatures, as to hearbes, plants, and other thinges, to bee medecines for the same: so is there no kind of ground so meane, barren, and defectiue, but God hath provided some meane to better it, if man, to whom he hath giuen all, will search for it, and vse the same to that end it was provided for. And yet this piece of ground adioyning, hath had muchlabour and great cost bestowed on it, and the ground little or nothing the more reformed: This Furzy close.

Sur. Indeede it is a strong weed, called in the North Countrie, *whynnes*. It seldome giues place where it once foorth, I will go see the forme of the furzes. These furzes are not worth the fostering, they bee dwarfe furzes, and will never grow great, nor high, and of little vse.

Baily. I speake not to learne how to preserue them, but how to destroy them.

Sur. But there is a kinde of Furze worth the preseruation, if it growe in a Countrie, barren of wood. And of that kinde there growes much in the West part of *Devonshire*, and in some parts of *Cornwall*, where they call them *French Furzes*, they grow very high, and the stalke great, whereof the people make faggots, and vent them in neighbour Townes, especially in *Exeter*, and make

make great profite of them. And this kind of Furze groweth also vpon the Sea coaste of *Suffolke*: But that the people make not that vse of them , as in *Devonshire* and *Cornewall*; for they suffer their Sheep : and Cattell to browse and crop them when they be young, and so they growe too scrubbed and lowe tufts , seldom to that perfection that they might : yet in that part of *Suffolke* they make another vse of them , they plant them in hedges, and the quick-set of them make a stronge Fence.

Quick set
hedges of
Furze.

Baily. Very silly quickset hedges, I would thinke, can be made of simple surzes.

Sur. Such as after two or three yeares , beeing cutte close to the earth, they will then branch and become so thicke, as no Hedge, if the Ditch be well made, and quick well set, can be more defensible, being set in two or three ranckes.

Baily. I maruell they learne it not in Cornewall, where for want of quick-set, and having or hedgirg stusse, especially in the West partes , they are sozed to make their Fences with turffes and stones.

Fences of
Turffes and
Stones.

Sur. They doe so indeede , vpon the Moores there: but sheepe will easily scale their walles. But the Furze hedges which I haue seene in that parte of *Suffolke*, no cattle can pierce them.

Baily. Then are these furzes good for nothing?

Sur. To brew withall and to bake, and to stoppe a little gappe in a hedge.

Baily. Then may we hereabouts affoord the standing of them: for wee haue no great plenty of these necessaries in these parts.

Sur. I see no store of Hay boot , vnlesse it bee in the Lords wood, where I thinke it be not lawfull for men at their pleasure to take.

Bayly. What meane you by hay-boote? I haue read it often in Leases, and I promise you, I did euer take it to be that which men commonly vse in hay time, as to make their forkes and tooles, and lay in some kinde of loftes or hay talets, as they call them in the West, that are not boorded: and is not that the meaning?

Hay boote,
what it is.
Hedge boote
& hay boote
the differ-
rence.

Sur. I take it not: it is for hedging stiffe, namely, to make a dead hedge or raile, to keepe cattle from corne or grasse to be mowne.

Baily. What difference then is there betwene hay-boote and hedgeboote.

Sur. Some there is: for a hedge implieth quick-set and trees: but a hay a dead fence, that may be made one yeere, and pulled downe another, as it is common vpon the downes in many countries where men sow their corne, in vndefenced grounds, there they make a dead hay next some common way to keepe the cattle from the corne.

Bayli. If that be the difference, we haue some vse of it also in this Country, but we want it much, as you see, by the lying of our hedges.

Dead hed-
ges deuoure

Sur. I see the hedges lie very vnhusbandly: a true note of few good husbands: for he that will suffer his hedges to lie open, and his houses vncouered, neuer put a good husbands hand to his head. Quick-set hedges are most commendable: for they increale and yeeld profite and supply, to repaire decayed places: but dead hedges or hayes deuoure and spend, and yet are seldome secure.

Baily. I pray, what is the best stiffe to make quicke-set of?

Sur. The plants of white thorne, mixed here and there with Oke and Ash.

Baily. But the plants are not easily gotten in all places.

Sur.

Sur. Then the berries of the white or haw-thorne, Acornes, Ash-keyes mixed together, and these wrought or wound vp in a rope of straw, will serue, but that they wil be somewhat longer in growing.

How to
make a
quick-set-
hedge.

Bayly. How must the rope thus stuffed with the former berries be laid?

Sur. Make a Trench at the top or in the edge of the Ditch, and lay into it some fat soile, and then lay the rope all along the Ditch, and couer it with good soyle also, then couer it with the earth, and euer as any weedes or grasse begins to grow, pull it off, and keepe it as cleane as may be from all hinderances; and when the seeds begin to come, keepe cattle from bruising them, and after some two or three yeares, cut the young spring by the earth, and so will they branch and grow thicke; and if occasion serue, cut them so againe, alwayes, preferuering the Oake and Ash to become trees.

Baylie. What is the best time to lay the berries in this manner?

Time of
quick-set-
ting.

Sur. In September or October, if the berries be fully ripe.

Baily. What if a man were desirous to make a little grouet, where now no kinde of such plants do grow?

Sur. Till the place with the plough, in manner of fallowing, and crosse plough it, and beat the clods small as may be: then sow or set Acornes, Ash-keyes, Hawes, Hedgberries, Nuts, and what else you desire, and then harrow it, and for some two or three yeares it were good to keepe it as free from grasse or weedes as could be, vntill the seedes were aboue the grasse, and when they bee somewhat stronger, the superfluous weedes will bee the more easily culd out: I know a wood sowne of Acornes about

How to
make a
grouet.

seuerall
trees and
b'reounds
etc like.

Gorse.

Broome.

about two and twenty yeares since , the Oakes whereof are now as high as an ordinary steeple. The ground in this case must bee considered; for some groundes are more naturally inclined to foster such things , and some are not. Some kinde of wood also loueth one kinde of soyle more then another , as the Juniper delighteth in a chalkie soyle,as appeareth in Kent and Surre: So dooth also the Yew tree , which brooketh a light and barren soyle : The Walnut tree likewise in meane ground being hot, and the Elme a sandy earth, the Aspe, the Popple the Alder, the Able trees moist ground, the Oake moist kindes of ground.

Baily. I haue a peice of land , surcome with a kinde of weede that is full of prickles, and groweth a fote or two fote high, whereof no cattell will feede , and I know no way to destroy it.

Sur. By your description it should be Gorse or pricke Broome , a weed that groweth commonly vpon grounds ouer-tilled, and worne out of heart, and it commonly groweth not but in cold clay ground, and is hardly killed but with Lime or Chalke , and so ploughed, and then sow it two or three crops together. And if you then let it lie, it will beare you the next yeare a crop of course Hay, and will then yeerely increase in goodnesse for pasture or Hay, and so much the sweeter and thicker, if you keepe it low eaten.

Baily. I thinke you mistake the weede, you meane, I take it, Furze or VVhyns, which some call also Gorse.

Sur. I thinke I mistake it not , but such as call Furze, Gorse, are as much mistaken , as they that call Brakes, Broome.

Baily. Because you speake of Broome, I know a Lordship of my Landlords, which no doubt you shall survey too , it is much

much pestered with Broome, and there hath bin much charge
and paines, and Arte too, bestowed in destroying of them, but
all in vaine: they haue biene cut, stocched vp by the rootes, as
was thought, burnt, ploughed, and yet they grow againe.

Sur. It is the nature of Furze, Broome, and Brakes, to
keepe their standing, and hardly will yeeld the possession
once gotten in a field: for commonly they like the soyle
well, and the soile them; and where there is a mutuall
congruity, there is seldom a voluntary separation. And
therefore, as long as there is not a disturbance of their
possession with a contrary earth, they will keepe where
they are: for as the Fish loueth and liueth in the water,
the Camelion by the Ayre, the Salamander in the fire,
and eyther of them being taken from his Element, will
die: So these kindes of weedes (for so they may be cal-
led) as long as they possesse the soyle they affect, do what
you can, they will liue. And therfore as the soyle is com-
monly barren, hote and drie wherein they liue, make
this ground fatte and fruitfull, and they will die. And
therefore the greatest enemy that may be set to encoun-
ter them, is good and rich Marle, and thereupon, the
plough some few yeares together: and you shall see, they
will shrinke away, and hide their heads.

Baily. But commonly this kinde offat Marle is not to be
gotten in all places: nay, seldom where these barren
grounds are.

Sur. It is true, they commonly come not, and say to
the lazie husbandman, Here I am. It is the nature of all
things to couet rest, and where dumbe and dead things
lurke, is not easily found without diligent search. Golde,
Siluer, Brasfe, Tynne, Leade, Cole, Slate and great Mil-
stones, shew not themselues voluntarily, but are found

Furze,
Broome,
Brakes,
their nature

How to kill
Furze,
Broome,
and Brakes.

All hidden
benefits
must be
sought for.

by scrutation and discretion. And I thinke many treasurable blessings lie hidde from slouthfull men, for want of search, and worthily. So doth this notable commodity of Marle, from the eyes of the Husbandman, vntill hee due into the bowels of the earth, to seeke: and admit he misse it heere, hee may finde it there: if hee faile to day, hee may get it to morrow. But Thrift hath no greater enemies then Ignorance and Idlenesse; the one perwades it cannot be, the other it will not bee. And betweene these, Weedes, Bryers, Thornes, Thistles, Furze, Broome, Gorse and a thousand Markes of the first curse annoy vs, which by the blessing of God, Industry and charge might easily and shortly remooue more out of our sights. And yet if the view of them daily could make vs, or mooue vs to call our first disobedience to consideration and repentance, I would wish Thornes to grow where Corne stands. But sith no spectacle of former threatnes, no vse of present blesings, will mooue the hard hearted, eyther to seeke by labour or charge to reforme these euils, easie to bee reformed: Let vs leane to discourse, and hee that hath vnderstanding and will, let him vse them here in this toyfome life, and not bee idle; for, if we doe what wee can, these Cankers will follow vs, these inconueniences will annoy vs, and will procure every day new labour, and new cost; and new diligence, and new Arte, to make vs know that *Omnia propositi labori Deus.* Man of necessitie must labour. And when hee hath sweate and toyled, and bestowed all his skill and vtmost charge, if God adde not a blessing, all is lost. *Paul* may plant, *Apollo* may water, but if God giue not the encrease, the labour is vaine. *God maketh a fruitfull land barren, for the wickednesse*

*Ignorance
and idlenes
enemies to
thrift.*

*None shold
beside.*

kednesse of the people that dwell therein, there is a curse. A- Psa.72.26.
 gaine, A handfull of Corne sowne vpon the toppes of high
 Mountaines, shall so prosper, as the fruits and eares thereof
 shall shake like the high Cedars in Libanon. Here is a bles-
 sing: It is a gratiouse thing therefore to feare and reue-
 rence him, whose blessing and cursing so much preuaile,
 and to pray to him for successe in our endeuours, and to
 glorifie him for his blessing.

Baily. You haue diuinely concluded: and I will not on-
 ly the words of your mouth, but the substance of your mea-
 ning were fully ingrauen, and truly seated in the harts of all
 that labour. So, no doubt but the Lord would be alwaies
 readie to blisse their indeuours: Although indeede Job saith,
 The earth is giuen vnto the hands of the wicked, and they waxe
 olde and wealthy. And David in diuers and sundry places
 declareth that the wicked prosper most in the world. And I
 tell you, it is a daunting vnto weake men, that thinke they
 serue God truely, and many times it goeth worse with them,
 then with such as seeme seldom or never to call vpon his
 name.

Iob.9. 24.8.
21.7.

Sur. But when David considered the end of these men
 he could say, that the Lord had set them in slippery places. Psal.37.22.
 And that they that are blessed of God, shall inherit the earth.
 And whatsoever they doe, it shall prosper. Therefore, I say,
 that he that commendeth his labor vnto the Lord, and
 the successe of all his endeuours vnto his diuine prouide-
 nce, who doth & can alwaies bring all things to passe
 for our best good, whether it be the ful fruits of the earth
 for our recreate and comfort, or scarcity and want, for our
 tryall, he is sure to stand fast, and shall be as a tree planted by
 the riuers side, whose leafe shall never wither: And in the Psal.1.5.
 time of deserte, he shall haue enough to sustaine his necessity.

Baily. It is a good and holy resolution, on which all men
 ought

ought to rest themselves with a faithful & patient expectation. And therefore he that hath fat and fruitfull ground, let him be laborious and thankefull, and he that hath leare and barren, let him be painefull and patient.

Sur. You say well, and so I leave you: And for other matters, and better satisfactions in these things thus superficially discoursed, I referre you to the aduice of the better able to resolute you. I will returne to my former taske.

Baily. I thanke you for your patience and paines, and I commend you to your labours: And as your occasions shall challenge my further poore seruice, I shall be readie.

F I N I S.



THE SVRVEYORS
DIALOGUE CONTAINING A
briefe conference betweene a Purchacer of
*land and a Surveyor: Wherein are some points necessary
to be considered, of such as are able and willing
to Purchase Land in Fee simple
or by Lease.*

THE SIXT BOOKE.

Purchacer,

Sir, as I take it, you did Survey a
Mannor, wherein I dwell, called the
Mannor of Beauland.

Sur. I did Survey a Mannor of
that name indeed.

Purch. It may be you haue for-
gotten me, yet I was one of your Ju-
ry of Survey there. And I did accom-
pany you, in your perambulation of the Mannor. And I re-
member, the Baylie, among many other questions, deman-
ded you one, wherein I would haue binne glad to haue had
your opinion. But that, you had no fit opportunitie at that
time to give such satisfaction, as I did wish.

Sur. What I pray you was the question?

Purch. Whether it were better for a man, that had mo-

ney

A question touching Freehold & Leafe to Purchase when a man hath little money.

nay in his pursle, a thousand Markes, or a thousand pounds, and would lay it out vpon land, to purchase a Fee simple, or buy a Lease.

Sir. I can hardly admit leasure to aunswere you, by reason of other occasions, but in regard of former acquaintance to doe you a pleasure, I will borrow so much time, as may suffice the aunswere of this question: So you can bee satisfied with some briefe reasons, although I know that such are the different opinions of men in this point, as that which will fully satisfie one, wil draw some others the further into doubt, as we see in divers other like cases, *Multa capita, multe sententiae.*

Good to be aduised at well in small as great Purchases.

Purch. I confess my iudgement is meane in this point, because I haue not had hitherto any practise in the purchase of land. And I must also confess that I am not provided for that busynesse, as some great Masters: who can vndergoe matters of many thousands, yet I thinke it in my discretion, as fit to bee well aduised in the smallest, as in matters of greatest moment: for a little well employd, may proue so farre more beneficiall than a greater portion, by how much the same is laid out with more discretion and better iudgement then the other. And though to tell you truly, my stock will not excede a thousand Markes, yet would I gladly be stowit, vpon such a thing as I might liue thereby, and my childe[n] after me.

Sir. Then I perceiue you would deale with some matter of perpetuitie.

Some mens vainc opinions on Free-holds.

Purch. I meane some Fee Simple. For, you know, it is a god matter to be a Freeholder. It is a god quietnesse to a mans minde, to dwell vpon his owne: and to knowe his Heire certaine. And indeede I see that men are best reputed of, that are seized of matter of inheritance: Leases are but of base account. For they haue oftentimes their liuings

nings are taken ouer their heades. So hath the Freeholder of inheritance never. And many other faire pre-ferments, are laid vpon a man that holdeth to him and his Heires, that never are bestowed vpon men of inferior te-nures and termes.

Sur. Are you a Scholler.

Pur. No truely.

Sur. Then Nature hath taught you the Art of Ambition. And I feare you haue set too faire a couler vpon so meane a proportion, as is betweene your portion of money you haue to bestow, and the exceeding contentments which you expect to grow by the land you pur-pose to purchace with the same.

Nature te-
cheth Ambi-tion.

Purch. Is every man, that desires to Purchace, ambi-tious?

Sur. Not as he is a Purchacer. But the humor of his as-piring, being discouered, discouereth his ambition to be the motiue to the Purchace. Will and Ablenesse to Purchace, are in themselues so farre from Ambition, as it is a bles-sed benetite giuen of God to man: and a great cause of re-joycing, is it to the heart of the most religiouse man: When from a lowe estate and small portion, God dooth rayse meanes to rayse himselfe, by lawfull Purchace. But if all his ayme therein bee a vaineglorious thirst: I can-not give it any other fitter title then Ambition, which is a vice. And mee thinkes, I smell it in your selfe by all your former arguments of the happinesse of a Free-holder. It is a good thing you say (and so doe I) to bee a Freeholder. But you must thinke he is not so free, but hee is subiect to many seruices, whereunto some inferior tenures are not. As when you are a Freeholder, experiance will teach you. Also it is (as you say) a good thing to dwell vpon a mans owne: Freeholders onely

A blessing
to be able
to Purchace

Ambition;
what?

Dwell

Seeming
comforts
may prooue
certaine
crosses.

Fathers
long life
some sons
lingring
death.

True free-
dome better
then office.

Dwell not on their owne, he that hath a Lease but for a yere,
dwels vpon his owne for a time. As for your Heire certaine,
and apparant; no doubt it is a comfort, so it be a comfort:
for comfortes prone in those casuall and changeable incli-
nations somtimes crosses: tender heirs, are like yong twigs,
they will bend and be wreathed at the will of the parent: but
grown strong they proue oftē strong distractions to bestmin-
ded, and welthiess parents, especially when they haue lear-
ned to say: My Father cannot put away his land from me: then
he begins to feele his fathers health to be his sicknes, his fa-
thers long life, his linging death, I need not tell you what
succedes. If you see it not, the mist of partiall obseruation
dashis your eyes: yet would I haue you to know this, that,
I hold it great happinnesse for a man of that estate to haue an
heire, but greater and the greatest to haue a vertuous, a fru-
gall and thiftie heire. Touching the Reputation which you
pretend to gain by the title of a Freeholder of inheritance, that
is seene to be wonne and lost, as is or shall be the report of
your god or ill conuersation among your neighbors: which
often pore men get, and rich men lose. The clearing of the
feare of hauing your living to be taken ouer your head, is
some assurance indeed: but many times, the heire to auoid
the danger, sels it himselfe, sometimes before it come to his
hand. For the preferments, commonly laid, or expected to
be laid vpon a man of that estate: howsoever ambitious men
may thinke it glorious: men wife enough, of a temperate
and moderate spirit, rather imbrace their owne fredome,
and thinke it farre more pretious then the fairest imposed or
assured preferments to office, commonly accompaigned with
care and controulment.

Pur. I perceiue you fauour, not estates of inheritance, the
best and most absolutely reputed tenure that any man can
be endowed with.

Sur. You much mistate me, and the matter: for I
ground not my obiections vpon any vnworthinesse of
that most worthy tenure: but vpon your ambitious as-
sing

putation, securitie, office, and vainglorious preferments, by reason off so small a mite of meanes, as your stocke (being but one thousand Markes) is able to Purchace.

Pur. It will Purchace (as I take it) about forty pounds a yeare.

Sur. Thereabouts at 16. yeeres Purchace. A weake reuenue to support so weightie contentments, as you haue propounded to your selfe.

Pur. I must cut my coat according to my cloth: spend no more then will arise of the Farme.

Sur. But your thousand Markes being gone, where is then the meane to stocke your Farme: for a Farme without stocke, is like a peece without powder or a Steeple without Bels.

A Farme
without
stocke: what
like?

Pur. Truely I confesse it, but if I should reserue any of that position for the stocke, it would Purchace farre lesse. And therfore I conceiue it better to straine my selfe some other way to stock it; though I give interest for a while, or let it out for some few yeeres, to enable me to stocke it my selfe afterwards.

Sur. So shall you soone indeed make triall of your aduenture, either to ariue safe with little aduantage, or to suffer vtter shipwracke. For the first Interest the mother of miserie, the longer she goeth with her birth, the greater monster she breeds, that immediatly devours him that begat it, worse then the Viper that kils the mother. Of two euils, the least is, to let it. If then thou be accompanied with a charge, thou and thy charge must be maintained. If that eat vp thine incombe, or the better part of it, little will be laid vp for the future stocke, and so shalt rest in *statu quo prius*, as able in the end, as at the beginning of the terme.

Interest the
mother of
miseries.

Pur. I know no other course to dispose of my money, in
FF way

way of Purchace; for lives are casuall, and yéeres run out so swiftly, as I cannot thynke of a better imployment of my money, then to lay it out vpon land of inheritance, for that is perpetuall.

Sur. There are many of your mind, who by the greatnessse of their spirits, vndermine their owne estates, and so hurle voluntarie repentance vpon their owne heads, which they cannot auoid.

Pur. If a man haue a competent bargaine, there needes no repentance.

Sur. A conuenient bargaine requires more then a competent quid, for a competent quo, that is a bargaine barely worth a mans money. As hee that hath a thousand pound in his purse, and bestowes it vpon a Jewell worth a thousand pounds: vnlesse he purpose, and can dispose this Jewell for more then it cost, he may say hee hath a Jewell worth a thousand pounds, and had a thousand pounds in money; but his money being gone, in steed of vsing it to his gaine, he looks on his Jewell with griefe. Especially when commanding necessarie requires needfull supplies: then lies his Jewell dead, and cannot, had he his money, it would haue supplied his wants.

Pur. This in mine opinion is little to the matter in question, for I lay not out my mony so, but that I haue a yéerely profitte, answerable to the value of my money, and lies not dead, as doth his Jewell.

Sur. Little odds betweene nothing comming in, and somthing comming in and profit nothing: as doth your Farme, which either wanting stock, can yeeld little, or having stock of interest, eats the gain. But the question propounded was, whether a man of smal means, were better for his profit to Purchace Fee-simple, or to buy a Lease.

Pur. That indeed is the question, & I think a more profitable

ble course, then to purchase land in Fee simple, or buy a lease. With whom
the Purchase of
Fee-simples
best agree-
eth,

Sur. I say more expedient cannot be, for a man that hath 10. or 20. or more thousand pounds in his purse: for thereby he may confirme his hope of hereditary succession: & consequently of Honor and Office. But to speake in answere to your stocke at the most (as you say) 1000. Markes, were it two or three thousand pounds, I affirme these kinds of Purchases are not most profitable.

Pur. What then, in your opinion is the best course to lay so small portions of money in, as you speake of.

Sur. Leases.

Pur. Alas, a lease is gone in the third part of a mans age, vntille it be for fiftie, sixtie, or one hundred yeeres: vpon such a man might be content to lay out his money.

Sur. I hold rather, a Lease of one and twentie yeeres more beneficiall.

Pur. That were strange, how can you proue that?

A Lease of
twenty one
yeeres most
beneficall
in some
cases.

Sur. Admit you haue 1000. pound in your purse, and you will Purchase a Lease of 100. yeres. It will cost you thirteene yeeres Purchase at the leaſt. So your 1000. pound will buy about 80. pound *per annum*, which will not amount vnto the interest of your money by twentie pounds a yeere. But if you buy a Lease of 21. yeeres, you may haue it for 7. yeeres Purchase. So will your 1000. pound buy a Lease worth 140. pounds a yere, exceeding the interest of your money forty pounds a yere. So there is threescore pounds more by a Lease of twentie one yeeres, then by a Lease of 100. yeeres, which whether it be more profitable for a man to buy, that hath no great meanes, Judge you.

Pur. Truly for my part I doe now conceine it so well, as I am vtterly disswaded from Purchasing land in Fee simple, or for more yeares then one and twentie, vntille I had a greater

A fit com-
parison.

greater portion, then indeede I haue. And me thinks I might compare my selfe (in the minde that I was) vnto one that had foure pence in his pocket, who would needes buy a purse to put it in, and so bought him a purse which cost him a greate: and he had as much money left to put in his new purse, as I should haue had to haue stocke my new Farme, when I had bestowed my thousand Markes vpon fortie pounds a yare. But now buying a lease for one and twenty yeares, my thousand Markes will bring me nere thre-score pounds a yare, and yet reserue money sufficient to stocke the Farme: I doe not thinke, but if other men of my poore meanes did well conceiuе of this, they would be of the same minde that now I am:

Sur. I neyther perswade nor dissuade any , to or from their owne opinions, for I know, it is as hard a matter to draw some men to a truth, as to remoue some from an errore. And some I know are alwayes most perswaded, to embrace that which is most in vse , and refuse the better, that few effer, and not many haue proued: And therefore to make a mans singular conceit/ haue it in experiance and practise neuer so deserued allowance) the president of other mens imitation , they will suspend it vntill it become as common as vice it selfe; and therfore to your selfe I say, doe not as I perswade, but perswade your selfe, as your owne conceit, in your seeming realon shall tell you what is best or worse ; though it be matter offact, it is no matter of sauing faith, therefore take right or lefft as you list.

Pur. I am not so sickle in my fancie; as it shoulde flicke from one conceit to another, after such due satisfaction as you haue giuen me : for whatsoeuer other mens judgments may vield in this behalfe, I take it the truest course for best profit, by smallest meanes : And I thinke no arguments can be so forcible to remoue what I haue conceiued, onely, one scruple remaineth, which I may rather terme a fruolous doubt, be-
cause

Some will
embrace
what is most
in vse.

cause it may succeede otherwise then I feare , and that ariseth in my conceit by reason of the shorthenesse of the tearme of one and twenty years : for if a man leauue his sonne a Farm A doubt in a lease of 21.yeares. for that terme , eyther it may bee taken ouer his head, or else he must be forced to buy it againe within fiftene or sixtene yeares, which both are things very vnplesant and most diſtasteſfull to moſt men.

Sur. It is true, but the end of the tearme being truely knowne, it takes away ſome of the harfneſſe, by a prouident preparation againſt the time : for if a ſon to whom a man leaueth threſcore pounds *per annum* (your owne proportion) with a ſtocke ; if he , by his frugality, prouidence and carefull husbandry, cannot lay vp, in ſixteene yeares ſo much, as will eyther procure the ſame againe, or ſome other as valuable elſe-where , leauue him to liuo as he may after the terme ended : for, it is not probable, that he would be thrifte or become more wealthy, if he had thrife as much ; for it is not the quantity of the thing left, but the quality of him to whom it is left, that proueth this pr oposition true or falſe.

Pur. It is ſo, for I haue knowne ſome meanely left with leases, haue grown rich, and ſome rich of inheritance become poore.

Sur. As are mens diſpoſitions good or ill, ſo com monly is the continuance of their estates prosperous or aduerſe.

Bayly. Surely, it is true. It ſo appeareth by the carri age of young men, in theſe daies, who ſhew themſelues moſt imprudent and carcleſſe, for the moſt part, not onely ſuch as stand in poſſibility to be aduanced by the abilitie of parents, or friends, but ſuch alſo (by a kind of impious imitation) as haue no other meaneſes, then either their owne labours, or ſinifer shifts : for as are the diſeaſes of the bodie, of late become yearly wonders for their strangenelle : ſo mens pro-

The carri ages of young meaſeſſe.

The cause
of the con-
fusion of
Patrimony.

Patrimo-
nies like
Fortunes
wheele.

phane humours and vicious qualities grow yearly more strange, by taking new courses of chargeable wickednesse: changeable fashions in apparell, gaming, the pot, and their lasciuious liues, rend patrimonies in pecces, and bring men to māre beggery, that before scorned the mere title of Gentlemen. A due obseruer may well note, that where one, left by a carefull father wealthy, and, by the grace of God, is of discretion fit to manage what is left him: ten grow thereby the more insolent, secure, prodigal, vicious, and consume more in one yeare by their rancke ryeote, then their carefull fathers or regardsfull friends did get by their care and industry in ten: whereby groweth that strange vicissitude which we see in the world, the father to purchase, the sonne to sell, the father to sell, the sonne to purchase, never continuing long in one line: many generations enjoy not one and the same inheritance. Patrimonies are like unto the fained wheele of Fortune, resembling also the waues of the Sea, driven now to the shōre, & forthwith to the channel, as the tide and the windes: so are possessions passed from one to another, more in these latter daies then ever before: mindes become inconstant breede estates inconstant. In former ages an inheritance continued many generations, never altring either the line or the name of the owner: men had a kinde of religious regard to preserve the inheritance of their auncetors: and in these dayes, they thinke it a superstitious ceremony, to keepe it. And therefore he that hath money, may now buy what his sonne may sell; the father buyes in hope to better his sonne, and the sonne selē to dishonour himselfe: And therefore I thinke whether it be Fee simple or Lease, all is bayt for a buyer, and a wafefull sonne is indifferent in both.

A sonne
cannot so
much de-
pend vpon
leases as
vpon Fee-
simple.

Sur. There is no cause so much to assūre a sonne of future meanes by *Leases*, as by *Fee simples*, for an eldest sonne is in part assured of his Patrimony, howsoeuer he carry himselfe: but leases may be giuen as a chattell, and therefore may make a sonne the more awfull. But it is a hard

hard thing, that neyther the loue of parents, in perswading, nor the law of Magistrates by punishing, can prevent these daily increasing mischieves: I thinke it may be affirmed, that the fault is especially in parents, by giwing and suffeting, as also in Magistrates in not correcting such wilfull transgressing the lawes of loue and obedience, and to shorten the line of that common libertie of young men whereby they liue, doe, and continue as they list: And so much the more, by how much they finde their owne strength, to rest in the ability and doting loue of their abused parents, who(whilst they liue) support these libertines by supplyes of needlesse wants: And the hope of the whole, after their deaths, make young men diue into the deepest of the danger of causelesse debtes, which (the parents dead) forceth to bee imbowelled the best of his new falne Patrimony: the reliques wherof he must sacrifice, to appease the violence of that denouring *Hidra*, and preece-meale offers the rest to his owne vice and vaine-glory.

Pur. Truely, these dayes affording such fruits, I wonder, whether is more the cause, the folly of parents or the frensie of children.

Sur. I thinke indeed many children (as it seemeth by their dissolute liues) are possessed with a kinde offrensic or madnesse; for they are as farre from awe of gouernement, as are such as are madde indeede: And yet I thinke of the two, the foolishnesse of doting parents, is more the cause of their childrens madnesse, then is the meere naturall inclination of the children: for did parents keep a kinde of power in their owne hands, and did not feede their childrens humours too full: they could not but withdraw, though not their desires, yet their meanes from those wastefull courses.

Fathers do-
ting on
their chil-
dren, the
cause often-
times of
their chil-
dren's hurt.
Oracione

Pur.

Pur. It seemeth to me a matter almost impossible, my reason is, because it is now growne to so generall a disease, if it were in the Citie onely, and not in the Countrey, or were it in one shire, and not in another, or in one towne or parish and not in another: nay, were it in one house and not in another, I wbuld then thinke the Countrey might reclaim the Citie, one shire, one towne or one house might reforme another: but being as it is, so vniversall, in Cities, countrey townes and houses, if any place or person be now free, it, or he is in danger to be seduced: and therefore one father may sendeuor by counsell, force or faire wordes, to order his sonne in the way of hope to be happy: but what tempe fathers by councell can worke in two children in much time, one impious, idle, vain, and vitious neighbours sonne shall poyson twentie in lesse. And therefore unlesse as the infection is generall, there could be found a generall preferuatiue, it will grow, ab.hoc malo ad illud peius, to be daily worse and worse.

Snr. So then let vs leauetheim, and I leauetheyou, fare you well.

Purch. Nay I must needes intreat your opinion in one thing more, I will not be tedious. When a man doth purchase Land in Fee-simple or Lease, are there not some speciall points of obseruation to bee considered before a man either buy or sell:

Snr. I think no[n]e is so ignorant or simple, but if he buy a Horse, he will see what pace he hath, whether hee bee sound, and whether hee that sels him haue right to the Horse, and other circumstances fit to bee considered in the buying of a Horse. And will any man bee so madde as to buy or sell Land without due consideration, what hee buys or sels? And yet I must confess, that some doe purchase, and some doe sell, as they that cut wood ouer their heads, the chippes fall into their eyes, they see not what they buy, or what they sell. Many haue bee[n] and

None is so
simple but
will obserue
what he
buyses.

and are dayly deceipted, for want of the true iudgement of the things they buy or sell, not seeking to informe themselues by themselues: nor for feare of charge, be informed by some vnderstanding to view the thing they buy or sell, a matter sauouring either of little prouidence, or great securitie.

Purch. Wherein I pray you shold a man scke especially to be informed in buying or selling Land?

Sur. Me thinks it is a needless question, because these things are common to evry mans conceit. But to satisfie your desire, I take it the *Title*, is first to bee duely considered, and then the drawing of the *Evidence*, for in these dayes, there goe more words to a bargaine of ten pound land ayeere, then in former times were vsed in the grant of an Earledome, and yet me thinks many superfluous wordes might bee omitted, and the assurance good: as they were in former times, with farre fewer words, but that I leauue to the learned, that knowe what is fit to be inserted or omitted according to the qualitie of the thing purchased, onely the true meaning should bee the best assurance. Secondly, the *yeerly and likely permanent value* is to be considered. The *quantitie, qualitie, and nature of the soyle*. The meanes to better it, as, by clen sing and clearing of the grounds of bushes, and other inconueniences, drayning of the low, boggie, and watry grounds: where and how to get *Marle, Chalke, Moore-earth, Sea-sand*, and such like meanes to improue, and better meane grounds. The scarsitie or plentie of *Wood, and Timber*, which are either a helpe or hindrance to the sale. To obserue the *Fenses*, and the meanes to continue them. The *Water*, whether in Springs, Riuers, or standing Pooles, which last is most inconuenient. The

Things to
be confide-
red in a Pur-
chaser.

Howsing, how conuenient and competent they are, and how they stand presently repaired, and the supposed charge to doe it. The *situation* of the place, for ayre, sweet or contagious. The wayes, good or combersome. *Commons* of pasture, *Commons* of *Estate* if any be: what Commodities it especially yeeldeth: how and where they may be best vented: and where, and how farre off *household necessaries* are to be had. Duties to the Church, and Common-wealth, with seruices due to the same: what issues out in rent, or other charge: what is paide to it: and many other things may be considered in the view of a Mannour, which at large are set downe in the second and third Bookes.

Purchaser. These are necessarie notes of remembrance, which are fit to be considered, both by him that selleth, and him that buyeth any Land, the neglect whereof may preiudice either. And thereby no doubt many are deceiued, and some abused, I am loath to trouble you further, I thank you for your patience, I will leauue you to your occasions.

PROV. 17. 2.

A discreet Servant shall have rule ouer an unthrifte Sonne.

E N D S.



Faults escaped.

In all places for Denneisene read Demeisns. fol. 55. line 35. for belongeth, read belonged. fol. 56. line 5. meest, read messe. fol. 64. line 9. for to, read by. fol. 82. line the last, for simple, read smile. fol. 88 line 18. put out too. fol. 90. line 9. for leaser, read leasee. fol. 96. line 10. for times at, read at times. fol. 98. line 22. for Baylie, read Raylie. fol. 106. line 1. for feildes, read fells. fol. 115. line 3. betweene name and for, read But the former Tenants. fol. 116. line 10. for Caterer read Cater.

